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TOWARDS FREEDOM

Documents
on the Movement
for Independence
in India

1945

edited by
Bimal Prasad

TOWARDS FREEDOM


Documents on the Movement for Independence in India, 1945

The *Towards Freedom* volumes, each edited by a distinguished scholar, bring together historical materials relating to the period 1937–47 from a wide variety of sources—official records, private and organizational papers, newspapers, and other contemporary publications available within the country. It presents, documents relating to the activities, attitudes, and ideas of diverse classes and sections of Indian society, all of which contributed to the attainment of independence with partition.

This volume systematically covers major developments of the year 1945, when the empire was perceived to be on the brink of its termination. Chapters 1, 9, and 10 cover various aspects of the Indian National Army—the campaigns, speeches and broadcasts, the trial, and the mass upsurge. Chapters 2 and 3 deal with the freedom campaign both in India and the West. Chapters 4 to 7 document the repeated failures to bring about a consensus on forming a government at the centre with various political parties. Chapter 8 focuses on the popular movements—States Peoples' movements and the Workers–Peasants' movements. The last chapter highlights certain pronouncements of leaders, debates on ideas about the future of India, and the publications that happened to occur in 1945.

A unique source material, this volume presents unpublished documents from the national and state archives and Nehru Memorial Museum and Library, as well as extracts from English newspapers. Including some rarely seen before internal communications within the Azad Hind Fauj, it sheds important light on various aspects of anti-colonial resistance in British and Princely

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Towards Freedom

ICHR: Towards Freedom

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Towards Freedom

Documents on the Movement for Independence in India
1945

Edited by
Bimal Prasad

With a Preface by the General Editor
Sabyasachi Bhattacharya

Indian Council of Historical Research

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General Editor's Preface

The agenda of an endeavour such as this series of volumes, defines itself in part through editorial practice and partly through attempts towards a statement of objectives. The historical context in which this project developed initially is generally known. While it will be excessively deterministic to overestimate the influence of that historical conjuncture on the academic inputs which went into the making of the project's agenda, one has to take that into account as one of the formative factors. After the vertiginous years leading to 1947, there came a time when historians turned their attention to those years and archives began to acquire and provide access to source materials. The last years of 'British India' began to be addressed by professional historians and indeed the theme attracted national attention both in India and in Britain. In June 1967, the British Prime Minister Harold Wilson made an important statement in this regard in the House of Commons, 'in view of the great interest now being shown in historical circles in the last days of British rule in India', there would be published 'documents from the India Office records on the Transfer of Power and the events leading up to it'.¹ The announcement included the assurance that 'the editors will be independent historians who will be given unrestrained access to the records, and freedom to select and edit the documents for publication.' The outcome of the project thus framed at the highest level in England was the series known as *The Transfer of Power* edited by Nicholas Mansergh, Smuts Professor of the History of the British Commonwealth at Cambridge. In addition to the announcement made in Parliament, Mansergh, as 'the Editor-in-Chief', stated that the 'purpose of the series' was 'to make available to scholars in convenient printed form the more important British historical records relating to the transfer of power in India'.²

Arguably, there is an obvious inadequacy in the notion that all that happened in 1947 was a 'transfer of power'. In Indian perception the attainment of Independence was a significant moment in the history of the struggle against British rule in the subcontinent. The representation of the emergence of independent India and Pakistan as transfer of power, solely an alteration of constitutional relations, tended towards the occlusion of that history. The focus on the legalistic notion of power transfer and the discourse of modalities of transfer, marginalized the more significant part of the historical processes at work. Likewise, the self-imposed limitations of the British documentation enterprise left many issues unaddressed. The project was to select documents from British state papers relating to the constitutional arrangements from the Cripps Mission of 1942 to 15 August 1947. In that discourse, in the official archives and the Viceroy's papers, the Indian voice was recorded only in so far as a few important spokesmen of political parties were among those present in negotiations with the British Indian government. The Indian institutions, personalities, and events were included in the documentation only to the extent the official papers took cognizance of them.

¹ *Parliamentary Debates*, 5th Series, House of Commons, Vol. 749, 30 June 1967, cols 147–48.

² Nicholas Mansergh (ed.), 'Foreword', *The Transfer of Power*, London, 1976, Vol. VI, p. viii.

That is not to say that the task of documentation in the twelve volumes produced between 1970 and 1983 by the HMSO was not competently handled by Professor Mansergh and his editorial assistants. These volumes were products of the best of British scholarship. But the initial conception of the project was delimited to certain issues and historical sources. I recall that in 1971 when I invited Sir Penderel Moon, a brilliant officer of the Indian Civil Service and later a member of Mansergh's editorial team, to a seminar at St Antony's College, Oxford, a number of us questioned him about this and he pointed out that perhaps we had not paid attention to the subtitle of the Mansergh volumes, 'Constitutional Relations between Britain and India'. Clearly the agenda for any Indian endeavour towards the documentation of the years leading to independence in 1947 would be different. How it would be different was suggested by Professor Sarvepalli Gopal in a luminous editorial Preface to the first volume produced under the present project. He said that the projected volumes aimed to 'present, within limits set by the sources, documents relating to the activities, attitudes and ideas of the diverse classes and sections of Indian society, all of which contributed to the attainment of Indian independence with partition.'³

It is significant that the title chosen for this series was 'Towards Freedom'. While the sub-title emphasizes the focus upon the 'movement for independence', the title evokes discourses in other domains as well—the struggle for social justice, for economic empowerment against exploitation, and for cultural autonomy. These were also prominent discourses within the over-arching framework of the Indian people's struggle for freedom. One is reminded of the words of Mahatma Gandhi in an essay he wrote in the *Harijan* a few days before his death, on 27 January 1948, 'the Congress has won political freedom but it has yet to win economic freedom, social and moral freedom.'⁴ This awareness of different categories of freedom allows space for a conception of the freedom struggle far wider in amplitude than the textbook approach to the struggle for independence from British rule. It makes a struggle for freedoms of many kinds thinkable. And it broadens the idea of a history of freedom struggle. This is how I understand the choice of the title for this series: Towards Freedom.

To sum it up, the present series of volumes focuses upon not just the legal processes of the transfer of power and the overtly political activities which brought that about, but also the struggle for freedom in different domains—economic, social, and cultural. The agenda of the series, therefore, is open to the entry of themes relating to the struggle of the peasantry, the working classes, and different sections of people as well as to a broad spectrum of political organizations who in their own light worked towards attainment of freedom.

To any one interested in the craft of history a pertinent question will be how the documentation will reflect this agenda. The selection of appropriate documents is not an easy task. We are here looking at long term historical processes such as the slowly evolving ideas about nationhood or class solidarity, the dynamics of popular participation in political movements, the links being forged between movements of the peasantry, the industrial labour, and the freedom struggle, the youth and student movements vis-à-vis the political parties, the changing social hierarchy in caste terms in relation to electoral and agitational politics, the gender relationships evolving from the traditional patriarchal structure towards developments that had liberating potentials, the anti-feudal and anti-British movement in the princely states, and the interface between all these trends

³ S. Gopal, 'General Editor's Preface', in Partha Sarathi Gupta (ed.), *Towards Freedom 1943–44*, Delhi, 1997, p. vii.

⁴ M.K. Gandhi, 'Congress Position', *Harijan*, 1.2.48, *Collected Works of Mahatma Gandhi* (henceforth *CWMG*), Vol. 90, p. 497. Also see 'His Last will and Testament', *Harijan*, 15.2.48 where he spoke of economic, social and moral dimensions of independence, beyond the political independence which had been attained, *ibid.*, p. 526. This document was written c. 29 January 1948, shortly before Gandhi's death, and it was also referred to in the AICC Papers as 'Draft Constitution of the Congress'.

in the ideational and cultural domains. The instantiation of these long-term processes through events as reflected in documents is the task at hand. The documents reflect fragments of the events which constitute links in the chain of certain historical processes of long duration.

It was decided years ago at an early stage of this project to distribute the work among editors on a purely chronological basis, that is to say each volume in this series would relate to a particular year assigned to an editor. This opened the project to the possibility that the long term processes would be lost sight of in the depiction of the particularities of the year each editor is taking care of. I incurred unpopularity in the Indian Council of Historical Research (henceforth ICHR) when I suggested many years ago that a thematic division of labour between the various editors, rather than a chronological one assigning one year to each, would have been a better organizing principle.⁵ I will not elaborate that point again. Whatever the drawbacks or merits of the chronological frame for assigning editorial responsibility might have been, it has been in operation for twenty years and hopefully it will enable us to complete the task before us. For the volume editors the limitation of chronological framework has been probably an irksome constraint. On the whole, the volume editors, each a distinguished historian, bore with fortitude the limits set on their temporal range, and they situate the particular historical conjuncture of a given year in the broader perspective of the long term processes as they see them in the Introduction to the volume. The editor's Introduction is thus a bridge between the narrative of events and the narrative of the freedom struggle as he or she sees it. The editor's introductory observations also provide a space for the presentation of his or her approach to the themes and issues the volume addresses and the explication of that approach.

As regards the sources from which the documents are collected for the volumes in this series, Professor Sarvepalli Gopal, in his General Editor's Preface, remarked in 1997, 'Although some of the volumes contain documents drawn from regional language sources, a fully comprehensive selection from these sources merit a separate project.'⁶ This was an accurate prediction of the future output, that is, the volumes now coming out. In deciding on what non-English and regional language sources will be collected the volume editors have exercised their judgement in deploying the research assistance they were provided. Judging by volumes produced till now and the manuscripts now being received from editors and being processed in the editorial office at the ICHR, the editors possibly felt that on most of the themes addressed, there exist sufficient source material in the English language and in translation. A more systematic search for and selection of non-English sources would have made this collection more complete, but it was evidently not found to be feasible. We are committed to a schedule which requires us to complete as early as possible the project undertaken in 1988–89 rather than to expand the scope of the editors' search to new sources.

One more point needs to be made about the sources. Probably, in the last decade of the Raj, specially during the Second World War, perspicacious observers began to sense a debilitation of the imperial powers and the impending decolonization process on a global scale, and the consequent shift in the power relationships—this altered their perception of the politics of independence struggle radically. This was happening globally in old empires, among the people and leaders in the imperial metropolises as well as their colonial peripheries. On the latter process we do have some documentation in the present series, but not much on the shift in the imperial metropolis. This is because *ab initio* the project was meant to be mainly for the collection of sources in India. This was probably because it was clear from the beginning that we have our hands full if we look

⁵ S. Bhattacharya, 'The Empire on Borrowed Time: Towards Freedom 1943–44', *The Book Review*, Vol. XXII, Jan.–Feb. 1998, pp. 24–5.

⁶ S. Gopal, 'General Editor's Preface', Gupta (ed.), *Towards Freedom 1943–44*, p. vii.

at the Indian archival sources alone. The mass and density of archival sources generated by the government in India will be evident to even a layman who glances at the following pages. Moreover, as I mentioned earlier, unlike similar enterprises in England, Pakistan, and Sri Lanka to collect sources throwing light on the last days of the British Raj, this series includes a great many activities and events which are not overtly political or constitutional.

A few words on the editorial apparatus in these volumes may be in order. The chapters are thematically organized while the sequence of placement of documents in each chapter is strictly chronological. There are two guides for the reader, first the Calendar of Documents indicating the subject of each document and the source, and second, the Index at the end of the volume. An effort has been made to make the volumes as 'reader-friendly' as possible. In some collections of this nature the editorial practice has been to provide a synoptic account of the contents of each document. This has not been the pattern in this series chiefly because it would increase the size of the volumes.

Before concluding I would like to put on record the annoying delays this project was subjected to on account of political interference to the detriment of academic autonomy. One result of such interference was that the ICHR authorities appointed no successor to the General Editor, Professor Sarvepalli Gopal when he passed away in April 2002; in fact all work on the project was suspended for about five years. I was asked in March 2005 to take up the task initiated by Professor Gopal, my senior colleague at Jawaharlal Nehru University.

The disruption in the production of the volumes in the series for several years up to 2005 was tantamount to political censorship of academic work. It is interesting to note here that the British developed a system which prevented political parties' interference in such matters. The British project for the documentation of the Transfer of Power was processed through a mechanism which ensured inter-party consensus in parliament.⁷ For this purpose a standing inter-party group of Privy Counsellors was appointed and it included a minister of the ruling party and representatives of the opposition parties, the Conservative and Liberal Parties; thus, once the project was passed by that committee, the task was left to experts duly appointed and no political interference occurred. In the light of what happened in our country on account of governmental changes, one might say that there was much that was commendable in the mechanism devised in Britain.

It is hoped that the agenda outlined above makes it amply clear what have been and remain the principles of documentation in the *Towards Freedom*. The editors of the volumes have had the freedom to exercise their choice within certain parameters and they focus upon the themes which emerge from the selected documents. An editor of a volume in this series stated what most other editors would endorse: this is not 'an attempt to provide materials for an "official" or "definitive" statement on the history of the freedom movement.'⁸ I accepted the responsibility of being the General Editor of this series since I believe that although the Government of India has funded this enterprise, like many other research projects and institutions in this country, the output of the project is the work of autonomous minds of scholars guided by standards of the discipline of historiography. As I have said in the beginning, not only agenda statements like the one I have attempted now, but practice has defined principles as well, and that is how an academic community works.

* * *

⁷ *Parliamentary Debates*, 5th series, House of Commons, Vol. 733, col. 1706.

⁸ Basudev Chatterjee (ed.), *Towards Freedom 1938*, Delhi, 1999, p. lvii.

What is the main thread running through the narrative that develops in this volume through the editor Bimal Prasad's documentation of India in 1945? We have many possible answers to that question. The optics of constitutionalism would suggest that perhaps the main trend was the evolution of an idea of an interim government leading to preparations for constitution making.⁹ From the point of view of mass politics this was a significant year when people responded to some alternatives to Gandhian politics (this is evident in what has been called in this volume, 'the mass upsurge' in response to the trials of the Indian National Army [henceforth INA] officers). The States People's movement entered a new phase, while one can sense a new level of peasants' and workers' struggle, sometimes under a Communist leadership from which the Congressmen distanced themselves in 1945.¹⁰ From another perspective, 1945 was the year when knowledge of the INA struggle came into the public domain and created a great impact on popular imagination. While it posited the struggle as an international issue, to some extent the INA episode undoubtedly promoted the Congress efforts to internationalize the issue of India's independence by means which were, of course, totally different from those of the INA.¹¹ Or again, was the main story of 1945 all about something else; perhaps 1945 saw the fructification of ideas latent in the freedom struggle of earlier years. This was the year when the empire was perceived to be on the brink of its termination, and the resentment against foreign rule went into the making of an agenda for re-shaping India after achievement of freedom.¹² What is the story of 1945? All of these were undoubtedly important strands in the thread that binds the different pieces of the story together, but the underlying spirit was the *anticipation of freedom* in diverse ways. However, these four important strands provide us with an approach to help organize the vastly diverse fragments of information and episodes in different stories ably documented by the editor in this volume.

Before we make an effort to highlight the main trends identified above, it will be useful to situate Indian events in the global context. We have to look at the course of the Second World War which cast its shadow on India and influenced the cast of mind and course of events in India. The tide turned in the war in Europe in January 1945: on 13th the Russian winter offensive was launched on three fronts, Warsaw was captured on the 17th, Russians troops broke into Danzig on the 23rd, while the Allied forces on the western front of Germany progressed steadily to reach for the bank of the Rhine. The details need not be chronicled here, it suffices to note that US troops crossed the Rhine on 7 March, the Third Army reached Frankfurt Main on 20 March, and Vienna was captured by the Red Army on 17 April. On 23 April, Stalin announced the entry of his troops into Berlin. April ended with the capture of Venice by Allied forces. Benito Mussolini was executed by partisans. Probably within the next two days Adolf Hitler committed suicide. On 7 May 1945 Germany surrendered unconditionally.

What about the Indian Ocean and Pacific theatre of the War? In January 1945, British Indian Army landed at three points in Burma, while the US airforce attacks destroyed the Singapore dock. We have in this volume interesting reports on war operations in Burma from, among others, Lt. Col. P.K. Sahgal for instance, on the battle of Legyi in Burma where the outnumbered 74th unit of the Azad Hind Fauj (henceforth AHF): 'exhausted by hunger and thirst and worry both of body and mind' fought bravely.¹³ In February US troops landed in Iwojima and Churchill and

⁹ See Chapters 4, 5, and 6.

¹⁰ See Chapters 7, 8, and 10.

¹¹ See Chapters 1, 3, 9, and 11.

¹² See Chapters 2 and 12.

¹³ 'Legyi Operation 1-4 April 1945', Report by Captain P.K. Sahgal, Documents from INA Exhibits, Exhibit No. 'AAA', National Archives of India, New Delhi (henceforth NAI). Chapter 1, Document No. 11, in this volume.

Roosevelt met in Alexandria to workout the final operations in the war against Japan. By early May, Rangoon had fallen to Allied forces. On 21 May Subhas Chandra Bose spoke to his troops from Bangkok: 'in Burma we have lost the first round in our fight for freedom.... Since we are fighting for justice and truth and for the birth-right of liberty, and since we are prepared to pay the full price of that liberty, freedom is bound to come if only we fight on.'¹⁴ In the next two months the Allied forces took complete control of south-west Pacific theatre and finally there came the terrible event that actually ended Japanese resistance—the explosion of the atomic bomb in Hiroshima on 9 August 1945. A week later Japan surrendered.

A 'glorious chapter in the history of India's struggle of freedom has just come to an end', Bose said in his last message on 17 August 1945.¹⁵ In Chapter 1 of this volume, the editor has collected many interesting documents, including some rarely seen before internal communications within the AHF. In Burma, the main terrain where the AHF fought, their enemies were the British Indian forces. The latter enjoyed overwhelming superiority in resources. Lt. General G.S. Dhillon's account of 16 March 1945 is revealing: the AHF had only rifles as weapons, against the British Indian forces who had air support as well as tanks, armoured cars, mortars, and machine guns.¹⁶ The outcome was inevitable, however, the moral and political impact of the struggle of the AHF in India was immense. We shall see later how this part of the Second World War affected India. Let us look at the political manoeuvres in India first.

Conciliation, Negotiation, and Constitution-making

In Chapters 4 to 7, of this volume, the documentation focuses on repeated failures to bring about a consensus on forming a government at the centre with representatives of the Congress and the Muslim League and other parties. The 'Desai-Liaquat Ali Pact'¹⁷ was the first of some efforts. This was a non-event staged by improbable actors with an impossible script. Bhulabhai Desai, an eminent lawyer and then the leader of the Central Assembly Congress Parliamentary Party, and Liaquat Ali, Deputy Leader of League Parliamentary Party, discussed privately a joint proposal, to be made to Viceroy Wavell. It proposed an Interim Government under the Act of 1935, in which Congress and League would have equal representation, forty per cent each, and minorities would have twenty per cent of ministerial position. It was improbable that Desai and Liaquat Ali would have the authority to push through such a proposal within their respective parties, not to speak of other parties and interests involved. M.A. Jinnah, upon being informed of it, 'was emphatic that any impression that there had been authorized discussion between Desai and Liaquat is entirely false.'¹⁸ As regards the Congress, many of the leaders being in prison and the AICC not having even considered the proposal, there was no positive response to the idea. There is evidence that Mahatma Gandhi was informed in advance and that he wisely warned Desai that 'the previous approval of Jinnah' should be obtained.¹⁹ This was not done, according to Jinnah. Gandhi also had second thoughts and in June 1945 he warned Desai once again: 'I see danger in this partnership

¹⁴ 'Freedom is Bound to Come if Only We Fight on', Speech by Bose, in Bangkok, 21 May 1945, from Ganapati Rai, (ed.) *Famous Speeches and Letters of Subhas Chandra Bose*, Lahore, 1946. Chapter 1, Document No. 15, in this volume.

¹⁵ 'India Shall be Free and Before Long', GOI, Home Dept, INA Papers. Chapter 1, Document No. 35, in this volume.

¹⁶ 'The Charge of the Immortals'—the Fight on 16 March 1945, Report by Lieut. G.S. Dhillon, Documents from INA Exhibits, Exhibit No. 'UUU', NAI. Chapter 1, Document No. 7, in this volume.

¹⁷ See Chapter 4, in this volume.

¹⁸ Bombay Governor's Report on His Talk with Jinnah, 24 February 1945, N. Mansergh (ed.) *Transfer of Power*, Vol. V, p. 607. Document No. 9 Chapter 4, in this volume.

¹⁹ 'Desai-Gandhi Draft', 5 January 1945, Pyarelal, *Mahatma Gandhi: The Last Phase*, Vol. I, Book I, Ahmedabad, 1956, pp. 123–4. Chapter 4, Document No.1, in this volume.

with the League'.²⁰ Denied support by Jinnah and the League as well as the Congress Working Committee the proposal died by the middle of the year, leaving only the detritus of press criticism of Bhulabhai Desai's well-intentioned folly. The obituary of this episode can be read in Liaquat Ali's press statement, describing the talks with Desai as 'purely of a personal nature',²¹ and Desai's counter-statement about 'inaccurate statements' made by Liaquat²² as well as Asaf Ali's comment condemning a 'hole and corner agreement'.²³

In the meanwhile another attempt, declared to be a 'conciliation attempt' was made by Sir T.B. Sapru's Committee which consisted mainly of distinguished lawyers and some supposedly non-partisan persons from other walks of life. The Committee began its life in 1944, as a creation of the Non-Party Conference at New Delhi in November. In the wake of the infructuous Gandhi-Jinnah negotiations, the Committee was welcomed by 'responsible citizens', mainly of conservative persuasion.²⁴ A lot of expertise in constitutional law was available to the Committee for its thirty members included half a dozen former members of the Viceroy's Executive Council or the Privy Council in London, half a dozen former judges of High Courts and three former 'Prime Ministers' of provinces in governments functioning in 1937-9. The Committee's recommendations in two parts²⁵ addressed the issue of interim arrangements, and 'principles of the new constitution'. So far as the Muslim League was concerned, the Committee put itself out of court by ruling out partition of the country. As regards the majority community, the Committee's recommendations were objected to by the Hindu Mahasabha vehemently. The Constitution-making Committee proposed, equal representation of Hindus and Muslims, 51 seats each in a house of 160 members. This was enough to lead B.S. Moonje to write, 'division of authority in India on the basis of equal shares between Hindus and Moslems, irrespective of others, which means 75 per cent of Hindus are equal in value to hardly 22 per cent of Moslems' was unacceptable; 'what will Hindus gain by such self-abnegation.... Let the Hindus rise in revolt to a man.... The Hindu Mahasabha will rise to the occasion and give the lead.'²⁶ Purportedly speaking from a non-Mahasabha but undoubtedly majority community point of view, the *Tribune* writes, 'it is an injustice done to the Hindu Community, as a community, by reducing its quantum of representations from 56 to 40 per cent and raising the representation of the Muslim Community from 23 or 24 to 40 per cent'; the proposal was calculated 'to stereotype communalism as the basis of the state.'²⁷ The Left point of view is represented in this volume by an editorial in the *People's War* condemning 'the shameless and one-sided rejection of the demand of Pakistan' and the surrender of the committee to the 'Hindu Sabha reactionaries' and the abandonment of the minority community's right of self-determination.²⁸ From purely constitutional legal perspective, there were some parts of the Sapru

²⁰ Gandhi to Bhulabhai Desai, 11 June 1945, *CWMG*, Vol. 80, p. 295. Chapter 4, Document No. 10, in this volume.

²¹ Liaquat Ali Khan's Statement on the Text of Desai-Liaquat Pact, New Delhi, 31 August 1945, *Bombay Chronicle* and *Hindustan Times*, 2 September 1945. Chapter 4, Document in Appendix V, in this volume.

²² Desai's Rejoinder to Liaquat Ali Khan's Statement, Poona, 16 September 1945, *Hindustan Times*, 17 September 1945. Chapter 4, Document in Appendix VI, in this volume.

²³ Asaf Ali on Liaquat Ali's Statement, 1 September 1945, *Hindustan Times*, 4 September 1945. Chapter 4, Document in Appendix VI, in this volume.

²⁴ Desai-Gandhi Draft, 5 January 1945, Bhulabhai Desai Papers, File Nos 1-5, Nehru Memorial Museum and Library (henceforth NMML). Chapter 4, Document in Appendix I, in this volume.

²⁵ Proposals of the Conciliation Committee, 8 April 1945, *Hindustan Times*, 9 April 1945, *Bombay Chronicle*, 9 April 1945, Pamphlet No.10 issued by Conciliation Committee. Chapter 4, Document No. 14, in this volume.

²⁶ 'B.S. Moonje Criticises Sapru Proposals', B.S. Moonje Papers, File No. 81/1945, NMML. Chapter 4, Document No. 17, in this volume.

²⁷ *Tribune* on Sapru Committee Proposals, Chapter 4, Document No. 16, in this volume.

²⁸ *People's War* on the Sapru Proposals, Chapter 4, Document No. 18, in this volume.

Report which merited consideration, for instance, the issue of a federative structure, fundamental rights, non-interference of the state in religious beliefs and practices, protection of cultures of all communities, etc. Little attention was however paid to these details in the storm raised on the communal representation issue.

A third exercise ending in futility in 1945 was the Wavell Plan and the Simla Conference. The termination of the war in Europe, created an air of expectation about change in British policy in India. Responding to the cue, the Viceroy in his broadcast speech on 14 June announced that 'to ease the present political situation and to advance India towards her goal of full self-government', new proposals were to be placed before the Indian political leaders at a conference on 25 June at Simla.²⁹ The Simla Conference was stalled on the initial issue of the formation of interim government. A blow by blow account of the spectacle of one man's opposition prevailing over all else is unedifying, except as an unusual instance of the empowerment of one individual by a particular historical conjuncture. The question which was debated fruitlessly for three weeks³⁰ was the exclusive right of the Muslim League to nominate all Muslim members to the Executive Council; but this was a surrogate for the real issue. Jinnah made this clear when he announced at the end: 'we cannot enter into any provisional interim government unless declaration is made by the British Government ... pledging that after the war, as soon as it may be possible, the British Government would establish Pakistan having regard to the basic principles laid down in the Lahore resolution of the Muslim League passed in March 1940.'³¹ There was no more to be said about it and it is, therefore, astonishing how much time and energy was spent at that time and place, 25 June and 14 July, at Simla.

The failure of these three attempts to solve the constitutional legal angle led to a period of doldrums at the central level while at the provincial and local level the quotidian political activities kept leaders busy marking time. Thus 9 August was celebrated in many places, demand for release of Congress leaders were made, leaders like Asaf Ali or bodies like the Shia Conference declared their opposition to the notion of Pakistan, and preparation of participation in the impending general election in India began to be made. Among these reports in Chapter 5, a series of reports on Satara attracts attention: the aftermath of the Quit India movement and the creation of the 'Prati Surkar' continued to be felt in Satara and even armed forces continued to be stationed there.³² By the end of 1945 the focus of attention shifted to the glorious story of the AHF but Satara too claims the historians' attention. When the year 1945 ended, political leaders began to prepare for the general elections. Politics in India had moved on to a new phase with the announcement simultaneously made by the Prime Minister Attlee in London and Viceroy Wavell in New Delhi on 19 September 1945. India was progressing towards 'self-government' (a phrase which Gandhi castigated as a vague substitute for 'independence') and general elections were to take place to facilitate Constitution making.³³ With the elections was to begin the last run up to independence in 1946-7.

²⁹ Broadcast Speech by Wavell, New Delhi, 14 June 1945, Mansergh (ed.), *The Transfer of Power*, Vol. V, pp. 1122-4. Chapter 5, Document No 1, in this volume.

³⁰ See Document Nos 2 to 24, Chapter 5, in this volume.

³¹ Jinnah's Statement at Simla, 14 July 1945, GOI, Home Dept, Poll(1) Branch 1945, File No. 97/45, Poll(1), NAI. Chapter 5, Document No. 26, in this volume.

³² See Document Nos 18, 21, 23, 26, and Appendices, Chapter 5, in this volume.

³³ Announcement Regarding Convening of Constitution-making Body, *Hindustan Times*, 20 September 1945. Chapter 6, Document No. 30, in this volume.

Mass Upsurge and the INA

The documentation available in this volume assigns a lot of space to narrativizing the story of the INA, or as the men and women in that army preferred to call it, the Azad Hind Fauj. This choice of the editor in documentation seems quite correct if one looks at the brief but strong mass upsurge that took place in India in the wake of the so-called 'INA trials'.³⁴ Demonstrations on the INA Day (12 November 1945) took place simultaneously in Lahore, Quetta, Amritsar, Delhi, Kanpur, Firozabad, Lucknow, Allahabad, Banaras, Patna, Bombay, etc.³⁵ All reports underline the strong presence of students in these demonstrations. In some places the police made lathicharges to suppress the demonstrators shouting INA slogans and leading strikes in colleges. E.J. Beveridge, the Chief Intelligence Officer in Calcutta, wrote to the Home Department in Delhi on 23 November that 'the conditions are worst the city has experienced during the past twenty years. Yesterday the police had to open fire on six occasions and they have again had to open fire this morning.'³⁶ The Eastern Command Headquarters in Calcutta³⁷ reported that on 23 November the governor ordered troops into the city and that over fifty army vehicles were burnt and over twenty army personnel were injured. The army officers complained that they were not allowed by the government orders to take strong 'counter-action', while the police were also ineffective since they were instructed to 'remain on the defensive'. Policemen were trying to 'avoid going out' and 'if police action is not backed up from above, the next outbreak will find little police force available'.³⁸ The Intelligence Department on the civil side reported that European opinion in Calcutta was that the government should be decisive and firm in times of trouble or else 'name a date in the near future for the handing over [of power] and clear out of the country altogether'.³⁹ The report added a warning, 'once Government loses the support and loyalty of its Indian servants it is finished'.

The impact of the INA disturbances on the morale of the elements on the government's side is evident in these reports. The Intelligence Department believed that the trouble was 'not sponsored by the Congress' and that the Congress Socialist Party and the Revolutionary Socialist Party started the agitation. Once the movement started, however, Communist trade unions joined, but the real source of strength was spontaneous public participation. The 'whole student community' was stirred by the call to defend the INA officers on trial. The general public also joined the students and this included 'many Indians who ordinarily do not engage in politics'.⁴⁰ The British officer at the head of the Intelligence Department in Bengal wrote that the demonstrations were notable for being 'spontaneous', and that there was little doubt that the whole disturbance was spontaneous when it originated, not planned.⁴¹

There is no doubt that the mass upsurge at the end of 1945 was in part a consequence of a popular perception that freedom was near, a consequence of the anticipation of freedom. In part, so far as the trigger cause is concerned, the upsurge was a consequence of an error of judgement on the part of the British India government, their decision to hold a trial of INA officers and that

³⁴ See Chapters 3, 9, and 11.

³⁵ 'INA Day Celebrated All Over India', *Hindustan Times*, Chapter 10, Document No. 13, in this volume.

³⁶ 'Situation in Calcutta', Intelligence Report, GOI, Home Dept, Poll(I) File. No. 21/16/1945, NAI. Chapter 10, Document No. 15, in this volume.

³⁷ Report on Calcutta Disturbances 21–24 November 1945 by HQ Eastern Command, GOI, Home Poll(I) File No. 21/16/45, NAI. Chapter 10, Document No. 17, in this volume.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

too at the Red Fort with its historical associations. A close study of the documents suggests that the man to blame for this error was Sir Claude Auchinleck, the Commander-in-Chief. Forced into a defensive posture, after the political storm broke out, Auchinleck claimed that he was speaking on behalf of the Army: 'I am strongly of the opinion that ... the general feeling throughout the Army would be that [the INA officers] must be tried as traitors....'⁴² Whether Auchinleck was right about Army opinion, by which he presumably meant officers' opinion, is impossible to prove or disprove. But it is clear that by December Viceroy Wavell had realized that to push on with the 'principles' which originated the decision to hold a trial, was foolhardy. He might have been influenced by the advice he received from the Intelligence Bureau: 'There has seldom been a matter which has attracted so much Indian public interest and it is safe to say, sympathy as the fate of the INA ... [T]here exists the real possibility that this agitation ... may develop in dangerous directions.'⁴³ By December 1945 Viceroy Wavell was quite willing to forget about the 'traitor' charge which Auchinleck had highlighted, 'it is the policy of the Government of India to bring to trial in future only such persons as are alleged, in addition to waging war against the state, to have committed acts of gross brutality.'⁴⁴ Only those guilty of brutality resulting in death were to be tried. Thus out of about 20,000 men of the British Indian Army who joined the INA, all legally chargeable under Army law for being traitors, trials would be held only for serious acts of brutality. Eventually when the INA officers under trial were pronounced guilty, the Commander-in-Chief remitted the sentence of transportation for life and the only punishment was that they were cashiered. This was a significant moment in the process of anticipating the end of British rule, for the outcome of the trial went against all the government rebetoric about 'traitors'.

From the legal and constitutional angle, the government did not, as the documents in this volume indicate, yield on one issue. This was the claim of the INA officers on trial and that of their Defence Counsel Bhulabhai Desai, that the accused were Prisoners of War and that they were part of armed forces of an independent entity, the Azad Hind Provisional Government. Desai's point was that 'the Provisional Government of Free India was formally established and proclaimed', that 'this government was recognized by the Axis Powers', and that Statehood gave the Azad Hind Government under international law 'the capacity of declaring and making war for the liberation of its own countrymen'.⁴⁵ If this point was established, the INA officers would have the status of Prisoners of War and would not be subjected to trial under the British Indian Army Act by the court which tried them. The Prosecution therefore strenuously objected to this point and tried to prove that the Provisional Government was a mere stooge of the Japanese. This is the reason, often not perceived, why the question of Subhas Bose's being a 'stooge' assumed importance.

That leads us to the question, a subject of much uninformed rhetoric, about Azad Hind Government being a 'stooge'. That it was indeed so was the contention of the government's Prosecutor, Sir N.P. Engineer. In his address he argued that 'the accused cannot in law seek to justify what they did as having been done under the authority of the Indian National Army Act....

⁴² Auchinleck's note on the INA trial, 31 October 1945, Military Department. No. L/WS/1/1577, India Office Records, London, reprinted in T.R. Sareen, *Indian National Army: A Documentary Study* (Delhi, 2004) (hereafter *INADS*), Vol. V, p. 34.

⁴³ Note by Intelligence Bureau, 24 November 1945, War Office, 208/761, Public Records Office, London, reprinted in *INADS*, Vol. V, pp. 50–4.

⁴⁴ Viceroy to Secretary of State, on Revised Policy Towards INA, 1 December 1945, 2/8/0/10/25, India Office Library, *INADS*, Vol. V, pp. 109–11.

⁴⁵ Address for Defence by Bhulabhai Desai, 18 December 1945, Bhulabhai Desai, *INA Defence*, (published by INA Defence Committee), New Delhi, 1946. Chapter 11, Document No. 1, in this volume.

The assumption of any such authority was illegal from the beginning.⁴⁶ In his cross-examinations of witnesses the Prosecution tried to show that the INA and the Provisional Government enjoyed no independence from the Japanese. On the other hand the Defence argument was that the Azad Hind Provisional Government was as independent or dependent as some other allies of the British whom Allied Powers recognized as independent. The passage is worth quoting since it provides an interesting international perspective. The issue was, what was in the Second World War the status of DeGaulle's government in exile or that of the French Partisans? Did the Allied Powers not recognize them? 'The people of France, for the time being fighting against their government which was pro-Germany, were undoubtedly guilty of fighting against their own government but the ground of immunity [from prosecution by Allied Powers] accorded was that they were fighting alongside the Allies for the purpose of freeing France.... If Maquis were entitled to all the privileges and immunities of a good fighting force for liberating their own country, I cannot see how you can fail to accord a similar treatment to those standing in the position of the Indian National Army.'⁴⁷ Thus we have a contraposition between two views of the INA, that it was a mere instrument of the Japanese, or that it was independent of them to the extent possible for the Maquis or the AHF or Bose or DeGaulle under war conditions.

There is an engaging simplicity about the story of the INA as an episode of a completely independent provisional government conducting warfare and the contrary view which depicts Bose as a stooge of the Japanese. The reality recorded in the documents here is much more complicated than either of these celebratory and condemning narratives. At the trial of the INA officers, the examination of witnesses by the Prosecution was conducted to prove that the INA and its leaders were only instruments in the hands of the Japanese.⁴⁸ Thus for instance the cross-examination of S.A. Ayer, Publicity Minister of the Provisional Government of Azad Hind, was intended to prove that there was no instance of 'actual controversies between the Japanese government and the Provisional Government of Azad Hind in which the latter maintained their position'. Ayer cited at least three major instances when the Japanese views did not ultimately prevail due to Bose's resistance—the proposal of a Japanese as Chairman of the War Council for future operations in India was discarded, the Japanese demand for prior intimation of nomination of ministers in the Provisional Government was also disregarded by Bose, and he likewise decided that 'no Japanese [business] firm would be allowed to operate in the liberated area and no other bank except the Azad Hind Bank was to be allowed'.⁴⁹ On such occasions, according to S.A. Ayer, the Provisional Government made it clear that it would not accept anything that would in any way 'compromise India's integrity, sovereignty and independence'. Or again, consider the evidence of the Defence Witness Lt. Col. Loganathan, formerly cabinet minister in the Provisional Government of Azad Hind and Commissioner of Andaman and Nicobar, a territory ceded to the Provisional Government at a ceremony in Port Blair in February 1945; till September of that year he was in charge of Civil Administration. The Prosecution considered that the cession was bogus and Loganathan was not holding an independent charge, and that he was compelled to 'cooperate fully in the military administration of the Island under the directions of the Naval Commandant there'.

⁴⁶ Opening Address by N.P. Engineer Advocate General & Prosecution Counsel, Chapter 9, Document No. 3, in this volume.

⁴⁷ Address for Defence by Bhulabhai Desai, 18 December 1945. Chapter 11, Document No. 1, in this volume.

⁴⁸ 'INA Trial: Evidences by Defence Witnesses', examination of S.A. Ayer and Lt Col. A.D. Loganathan, Chapter 9, Document No. 7(in Section II), in this volume.

⁴⁹ *Ibid.*

The fact of the matter seems to be that the assertions of sovereignty and independence of the Provisional Government of Azad Hind were often of symbolic significance, as indeed such assertions often are. On the other hand, on the ground Japanese authority was derived from their military power. The prosecution could not produce much evidence that the Azad Hind Government was just an instrument in the hands of the Japanese and in his final address the Advocate General did not emphasize this aspect.⁵⁰ Thus the position of the Provisional Government was betwixt and in-between. This was also the situation in respect of some governments in exile in Europe on the side of the Allied Powers under war conditions. But then, the Azad Hind Government was on the side that lost in the war.

One perception that emerges in the documents in this volume which needs to be emphasized is the motivation of those who joined the INA. The Prosecution tried to establish that it was coercion that led to 'desertion' to INA. There is overwhelming evidence to the contrary, although some passive coercion (in the form of privations in the Japanese Prisoner of War camps) is a factor often mentioned by Prosecution Witnesses. Needless to say, desire to join the battle for India's freedom is highlighted as the main motive in Defence Witness' depositions. What is revealing is that three other factors also seemed to be active. First, the educated section, the officers holding middle ranks in the British Indian Army who joined the INA, perceived that they were virtually abandoned by the British after the fall of Singapore and thus their allegiance was shaken. The British on 17 February 1942 'handed over Indian officers and men to the Japanese like a flock of sheep.... We felt that the British Government had, on its own, cut off all the bond that had bound us to the British Crown and relieved us of all obligations to it.... We bonafide believed that the British Crown having ceased to provide any protection to us could no longer demand allegiance from us.'⁵¹ G.S. Dhillon, having had the same experience, 'felt like one deserted by the British in a state of utter and tragic helplessness.'⁵² Thus the charge of 'desertion' is reversed so to speak. The second factor the INA officers underline is their perception that since the British were unable to defend ethnic Indians in East Asia, the presence of an Indian army was needed. Dhillon in the above-cited deposition said that since he had 'seen how people in Malaya had suffered as a result of the Japanese invasion', and since he knew of the defenceless state of a systematically disarmed and 'emasculated' people in India under British rule, he felt the need for an Indian Army. 'I felt that if a strong and willing National Army could be raised at that juncture, it could not only liberate India from foreign rule but could also resist the Japanese in case they should try to go back upon their word and instead of helping us to win our freedom, should seek to exploit our country for their own purpose'.⁵³ Sahgal said in his deposition: a national army to fight for 'the liberation of India from the existing alien rule, should be able and ready to provide protection to their countrymen against any possible molestation by the Japanese, and to resist any attempt by the latter to establish themselves as rulers of the country in place of the British'.⁵⁴ These statements made after the event might have been *ex post facto* rationalization; they throw a shaft of light on the perception of educated and well-informed officers of the AHF towards the cause of that force and also towards the Japanese. These were not ideal material to be stooges, nor was the ideology they were exposed to, in the form of Bose's communications to them, appropriate for stooges.⁵⁵

⁵⁰ *INADS*, Vol. V, pp. 228–93.

⁵¹ Statement made in the Court by P.K. Sahgal, 7 December 1945, Chapter 9, Document No. 5, Section II.

⁵² Statement made by G.S. Dhillon, 7 December 1945, Chapter 9, Document No. 6, Section II.

⁵³ *Ibid.*

⁵⁴ Statement made in the Court by P.K. Sahgal, 7 December 1945, Chapter 9, Document No. 5, Section II.

⁵⁵ See Chapter 1, in this volume.

Popular Movements in the States and Provinces

The focus of Chapters 7 and 8 is on the popular movements that took place in the princely states and the broadening of the base of popular support of the freedom struggle in the provinces in British India; the workers' and peasants' movements, and the relationship between two claimants to the leaderships of such movements; the Indian National Congress and the Communist Party of India.

The States People's movement entered a new phase in 1945 with the decision of the Standing Committee of the All India State People's Conference (hereafter AISPC) in August 1945.⁵⁶ The States People's organizations were known by different names in different princely states and their representation at the AISPC was unregulated till then. Henceforward, the AISPC decided to regularize 'affiliation and recognition of States People's organizations', and a committee including Pattabhi Sitaramaraya and Acharya Narendra Dev was formed for this purpose. Second, the Standing Committee of AISPC also passed a resolution that anticipated the future integration of the princely states: 'The Standing Committee reiterates that the objective of the people of the states is the establishment of full Responsible Government in the States as integral parts of India. The major states would form democratic autonomous units in a free and federated India.... The Committee trusts that the Rulers of the States will also realize that there is no other way open to them' Further, another resolution also held out a threat to the recalcitrant state rulers: 'The fundamental question is whether the future of the Indian States should be considered from the point of view of the personal well-being and prosperity of the rulers of the states, or that of the well-being and prosperity of their people.... [I]f the two respective well-beings conflict, the people's well-being must prevail'.⁵⁷ These statements of principles were quite different in tone from the plaintive resolutions of the AISPC before 1945, for those were directed against particular states or their rulers. The anticipation of freedom seems to have brought about a new phase in the States People's movement.

The quotidian politics of the AISPC and its diverse constituents continued to follow a routine, while the aforementioned policies of the putative ruling party were being formulated. Many of the documents merely record observance of the Independence day on 26 January, the 'National Week' from 6 to 13 August, the 'Gandhi Jayanti' on 2 October, etc. as well as the routinized reiteration of the statements of the central body of the AISPC. The important event in 1945 was the confirmation of the Standing Committee's resolution by the Plenary Session of AISPC at Udaipur under the Chairmanship of Jawaharlal Nehru⁵⁸; the demand was for people's 'representation in the Constituent Assembly' on a democratic basis. However, anxieties about the future status of the states was also reflected in some ways; for example Sheikh Abdullah of Kashmir moved a resolution that 'a federation must be a willing union with autonomy for each unit'.⁵⁹

Although the incarceration of many Congress leaders hampered their contact with popular movements, the Congress was not inactive in 1945 in peasant and trade union movements, but probably the CPI had a slight edge over the Congress. The CPI leader Muzaffar Ahmed, in his address to the ninth All India Kisan Sabha (henceforth AIKS) in Bengal, 8 April 1945, made it a point to underline that 'Communists form the majority in the leadership of the Kisan Sabha', and that the AIKS had 'not grown organisationally as a rival of the Congress or of the League. It has

⁵⁶ Resolutions Adopted by the Standing Committee of All India State People's Conference, 6–8 August 1945, Chapter 8, Document No. 10, in this volume.

⁵⁷ *Ibid.*

⁵⁸ Government of Bikaner's Report on All India State Peoples' Conference, Udaipur, 30 December–2 January 1945: *Precis of the Proceedings*, Chapter 8, Document No. 15, in this volume.

⁵⁹ *Ibid.*, Report on Open session of AISPC.

not worked to deplete their strength; on the contrary, in the process of growing as a broad-based mass organization it has in fact added to their strength'.⁶⁰ The AIKS demanded the release of Congress leaders who were in prison.⁶¹

The need for peasants' organization was all the more felt acutely in the war period. The agricultural prices had no doubt gone up but few cultivators could benefit from that, the chief beneficiaries were the merchant middlemen. Moreover, the prices of some daily necessities such as cloth, salt, oil, and sugar went up along with food prices. In some parts of India, in famine affected Bengal in 1943–4 for instance, depeasantization occurred on a larger scale than ever. In 1945 we have reports of major disturbances in Hyderabad where the Nizam's government saw 'Communist agitators' behind the disturbances,⁶² in Travancore among Pulaya-Paraya farm labourers, and in Umbargaon taluka in Maharashtra among the Worlis leading to police firing⁶³ on Adivasi Seva Mandal and Kisan Sabha workers. In these events the Congress-affiliated leaders participated along with Communists. According to police reports, the agitation was most intense in Nalgonda district, under Communist leadership, for example, Ravi Narayan Reddy, P. Sundarya, and C. Rajeshwar Rao. An agitation targeting initially Deshmukhs and Watandars, developed into one against revenue and police officials. The latter allege presence of 'armed mobs of villagers under Communist influence' and attempts 'to establish a parallel government'.⁶⁴

The AIKS claimed a membership of 3.3 lakh whereas the AITUC had a membership of over 5 lakh. The AITUC was also more publically visible due to their presence in cities, commanding allegiance of over 400 trade unions.⁶⁵ As in the case of the AIKS, the AITUC President Fazal Elahi Qurban at the annual conference, as well as general secretary N.M. Joshi emphasized that all-party collaboration was their aim. The main issue on the agenda of the AITUC was compensation for the inflation which affected workers' consumption and living standard. In the documents in this volume we get reports on strike action of 8000 tramway workers in September 1945 and of 12,000 workers in engineering industries in October, both in Calcutta and its suburbs.⁶⁶ There are other instances of trade union agitations and of workers' participation in anti-colonial agitations like those occasioned by the INA trials; but on the whole the workers' movement was at a low ebb for the major part of 1945 on account of the absence of the imprisoned Congress leaders and the policy of the Communists to avoid agitations while the war was on. From September 1945 agitations picked up but there was again a setback due to the rift between the Indian National Congress and the Communist Party of India.

The cooperative and occasionally competitive relationship between the followers and workers of these two parties had aided popular movements till 1942. For obvious reasons in 1942 there was a disjuncture. In 1945 many Congress leaders were released after the end of the war and naturally there were scores to settle. Formal steps were taken to expel Communists from the ranks of the Congress and a bitter squabble ensued. The working committee of the Congress formed a sub-committee consisting of Jawaharlal Nehru, Vallabhbhai Patel, and G.B. Pant to enquire into charges against members of the CPI in the Congress. The enquiry report of the committee opens

⁶⁰ Chapter 8, Document No. 22, in this volume.

⁶¹ 'Free Leaders, End Deadlock', Chapter 8, Document No. 22, in this volume.

⁶² Report to H.E.H. the Nizam's Government on Communist Agitation in Hyderabad State, Chapter 8, Document No. 25, in this volume.

⁶³ See Chapter 8, Document Nos 17, 23, and 24, in this volume.

⁶⁴ Hyderabad State CID's Note, Dated 1-2-47 on the Situation in Nalgonda District, Chapter 8, Document No. 26, in this volume.

⁶⁵ 'Trade-Union Congress: Demand for Leaders' Release', Chapter 8, Document No. 16, in this volume.

⁶⁶ See Chapter 8, Document Nos 19, 20, and 21, in this volume.

with the statement that insofar as Congress was a movement, it allowed various political groups, upholding different ideologies, participation in the deliberations, but insofar as it was a political party it insisted on uniformity in action and therefore disciplinary action was called for when any member or group clearly acted against Congress policy. Then the report goes into the history of the Communist attitude to the Congress from the 1920s, with extracts from the CPI documents, to argue that not only in the past on occasions, but more particularly in 1942, the Communists in the Congress openly criticized the Congress policies and actions, and in 1942 the CPI appeared to be 'lined up with the British Government in India'⁶⁷ It was also mentioned that in 1945 'the unqualified support of the Muslim League's claim for Pakistan' added to the Congressmen's already strong feeling of estrangement from the CPI. This elaborate report of September 1945 was preceded by Gandhi's letter to P.C. Joshi of the CPI in February posing very sharp questions about the finances of the CPI, about its dependence on dictation 'from outside'⁶⁸ as well as Bhulabhai Desai's opinion given to Gandhi that the CPI had indeed been conducting 'propaganda contrary to the views and policies of the Congress'.⁶⁹ The foregone conclusion, after due process, was finally reached in December 1945 with the expulsion of CPI members from the AICC and instructions to Provincial Congress Committees to expel CPI members.⁷⁰ From the point of inter-party politics the episode was interesting, particularly because an often silenced complaint among Congressmen was that the party, specially the Congress Socialist Party, was threatened by a growing influence of the Communists. Indeed one of the issues posed right in the beginning by Mahatma Gandhi was, 'The Communist Party is said to have adopted the policy of infiltrating the Congress organisation with a hostile intent.'⁷¹ Except for some very perceptive ideological questions in the Gandhi-Joshi correspondence, the level of the controversy rarely rose above pedestrian legalism. What is noteworthy is that this sequence of events and attendant recriminations leading to the formal rift impacted political activities on the popular front at a time when unity was most needed to cope with the challenge of impending election as well as popular upsurges witnessed early in 1946. That is beyond the purview of present volume.

Ideas Shaping Freedom Struggle

Needless to say, when one considers ideological evolution, demarcation of one year, 1945, from others becomes a little irrelevant; the documentation in Chapters 2, 3, and 12 in this volume highlights certain, pronouncements of leaders, debates on ideas about the future of India, and publications that happened to occur in 1945. Moreover, ideological issues obviously cannot be separated from the history of praxis and thus ideas will be observed to be at work in the events and processes covered in other chapters as well.

There is little that is strikingly new in the articulations of nationalist ideology at this time. What is new is the manner of its articulation. There is a stridency in the statements made and in particular one notices that the fence-sitters cease to sit on the fence. This was part of the anticipation of freedom. The notion of civil rights figures prominently in the documents: Jaya Prakash Narayan's letter to the Chief Justice of the High Court at Lahore, Ram Manohar Lohia's statement to his lawyers regarding subjection to torture in Lahore jail, S.A. Brelvi and B.G. Horniman on the

⁶⁷ Charges Against Members of the Communist Party of India in the Congress: 21 September 1945, Chapter 7, Document No. 4, in this volume.

⁶⁸ See Chapter 7, Appendix I, in this volume.

⁶⁹ 'Communists Acted Against Congress Policy', Bhulabhai Desai's Verdict as Conveyed to Gandhi, Chapter 7, Document No. 3, in this volume.

⁷⁰ Expulsion of Communist Members from AICC, 11 December 1945, Chapter 7, Document No. 8, in this volume.

⁷¹ See Chapter 7, Appendix I, in this volume.

restrictions on freedom of press, protests against restriction of freedom of movement as in the case of the prevention of entry into Satara, statements at Punjab Civil Liberties Union Conference at Lahore, are prominent instances.⁷² More numerous are documents illustrative of the increasingly uncompromising stance in respect of complete independence. Typical was the statement on San Francisco Conference by Mahatma Gandhi: 'An indispensable preliminary to peace [after World War] is the complete freedom of India from all foreign control....'⁷³ The third notion highlighted in this volume is that of the international community's responsibility with regard to protection of freedom of countries like India. Even those who served the empire loyally like Sir B.P. Singh Roy and Sir Mohammad Zafrullah Khan joined the campaign to propagate the idea that world security was impossible without freedom for the colonized countries.⁷⁴ Forums such as the Pacific Relations Conference, Commonwealth Relations Conference, the India League of America in New York, and San Francisco Conference (from the side-lines) were used in the campaign to make Indian independence an international issue.⁷⁵ Whether this attempt to internationalize the issue had any effect on the top decision makers in Washington DC or London is a matter of speculation, but there is evidence that the President of USA took notice of it on one or two occasions in 1946, and so did prominent intellectuals like Bertrand Russell or Pearl Buck or J.B. Priestley.⁷⁶ The ideological battle over the question of India's freedom was essentially a one-sided affair since the explicit defence of imperialist ideology was taken up by scarcely anybody after the Second World War. The flavour of the season was peace and international order.

The nationalist discourse contained within it, since the emergence of Gandhi, a potential ideological conflict between the Gandhian economic ideals on the one hand and on the other the pragmatic choice in favour of the capitalist development path qualified by purportedly socialist planning. Before we come to that let us note some ideas which figure prominently in the last chapter entitled 'Thoughts on Shaping New India'.

In Chapter 12 we have a collection of documents reflecting miscellaneous 'policy' issues. Of these the language question addressed by Gandhi is interesting in that it indicates strongly that he preferred Hindustani to its Sanskritized or Persianized forms, and that he rejected the view that Devnagari was the only acceptable script.⁷⁷ After a long debate by correspondence with Purushottam Das Tandon he wrote: 'My definition of Rashtra Bhasha embraces a knowledge of both Hindi and Urdu scripts as well as the two styles.... While engaged in the propagation of Hindustani, I shall be serving both Hindi and Urdu.' This idea was, as we know, defeated by proponents of Devnagari Hindi after his death.

The documents available on foreign relations are not exactly of momentous importance. They do, however, throw some light on Nehru's foreign policy in the future. He was far from satisfied with the stance of the USA at the time of the San Francisco Conference. President Truman expressed 'only goodwill' and Nehru shared the general 'disillusionment in India in regard to American championship of freedom. At San Francisco, the Soviet Union took the lead in championing

⁷² See Chapter 2, Document Nos 1, 20, 45, 57, 63, and Appendices, in this volume.

⁷³ 'India's Freedom an Indispensable Preliminary to Peace', *CWMG*, Vol. 79, p. 389. Chapter 2, Document 60, in this volume.

⁷⁴ See Chapter 3, Document Nos 2, 4, and 5, in this volume.

⁷⁵ See Chapter 3, in this volume.

⁷⁶ See Chapter 3, Document Nos 6, 17, and 24, in this volume.

⁷⁷ Hindi and Hindustani: Gandhi--Tandon Correspondence: Released to the Press by Shriman Narayan Agarwal, Secretary, Hindustani Prachar Sabha, Chapter 12, Document No. 29, in this volume.

independence for subject countries.⁷⁸ One may also look back with mild interest upon the resolution of the Working Committee of the Congress regretting that India was denied a permanent seat in the Security Council of the United Nations.⁷⁹

When we turn to the ideas about economic development in India of the future, of the post-independence period, we do get a well-developed discourse. At least five different approaches emerge if one reads the documents in Chapter 12 carefully. First, there was the Gandhian economic philosophy. Second, there was within the nationalist fold an approach which offered an alternative to Gandhian economics. Third, there was an increasingly strident voice of the business class. Fourth, there was also a bureaucratic discourse since the institution of the government's Planning Department. And finally, there was a Left point of view on the desirable course of economic policy.

The Gandhian approach is reflected in the well-known work by S.N. Agarwal⁸⁰ and more pithily in Mahatma Gandhi's letter to Nehru. The letter of 13 November 1945 is evidently an important one for Gandhi writes in the awareness of the fact that he was standing at a point where Nehruvian planning was to depart from the Gandhian way. It is also a touching letter about personal relationship: 'I have said that you are my heir. It is only proper that I should at least understand my heir and my heir in turn should understand me'. Basically he reiterated the position he had maintained in *Hind Swaraj* in 1909: 'We can have the vision of truth and non-violence only in the simplicity of the villages. That simplicity resides in the spinning wheel.... The sum and substance of what I want to say is that the individual person should have control over the things that are necessary for the substance of life'.⁸¹ He reiterated this position in another letter: 'If we are to make sure that one person does not ride on another's back, the [social] unit should be an ideal village or a social group which will be self-sufficient, but the members of which will be interdependent'.⁸²

The Nehruvian approach was an alternative to Gandhi's vision outlined above. Nehru asked 'why should a village necessarily embody truth and non-violence'. Second, 'it seems to be inevitable that modern means of transport as well as many other modern developments must continue and be developed.... If that is so, inevitably a measure of heavy industry exists. How far will that fit in ... a purely village society?'⁸³ Third, is it not true that it is impossible 'for India to be really independent unless she is a technically advanced country' and advanced in terms of scientific growth. Nehru concluded that *Hind Swaraj* appeared to him to be 'completely unreal' and 'the Congress has never considered that picture, much less adopted it.... In any event, any consideration of these questions must keep present facts, forces and human material we have today in view, otherwise it will be divorced from reality.' It seems that Nehru and Gandhi met to discuss these matters and Gandhi wrote thereafter that some ideas were probably shared by both but added: 'If in the end we find that our paths are different, so be it'.⁸⁴ In fact Nehru was already receiving a great deal of support from nationalist intellectuals like K.T. Shah, M. Visvesaraya, and others.⁸⁵

⁷⁸ Obligation of the United States, *Selected Works of Jawaharlal Nehru*, Vol. 14, pp. 457–59. Chapter 12, Document No. 27, in this volume.

⁷⁹ Congress Working Committee Resolutions on Foreign Relations, *Indian Annual Register*, 1945, Vol. I, Chapter 12, Document No. 24, in this volume.

⁸⁰ See Chapter 12, Appendix I, in this volume.

⁸¹ Gandhi–Nehru Correspondence on Economic Policy: October–November 1945, *CWMG*, Vol. 81, p. 319. Chapter 12, Document No. 16[I]: Gandhi to Nehru, 5 October 1945, in this volume.

⁸² Ibid.

⁸³ Ibid., Nehru to Gandhi, 9 October 1945, *Selected Works of Jawaharlal Nehru*, Vol. 14, p. 554.

⁸⁴ Ibid., Gandhi to Nehru, 13 November 1945, *CWMG*, Vol. 82, p. 71.

⁸⁵ See Chapter 12, Document Nos 13, 18, and 20, in this volume.

Not all of them, however, agreed with Nehru's proposition that 'there must be, and there will be, socialistic planning'.⁸⁶

In the meanwhile the burgeoning Indian business class began to offer their blue print for future economic development. J.R.D. Tata, G.D. Birla, Lala Shri Ram, Kasturbhai Lalbhai, Sir Purushottamdas Thakurdas, and others prepared the so-called 'Bombay Plan' of which a part is reproduced in this volume.⁸⁷ Purportedly the aim of this pronouncement of the top leaders of business was to 'plan for change but also plan for stability and orderly development'. Change was needed because, it was conceded, 'private enterprises and ownership has failed to bring about a satisfactory distribution of the national income', but stability was desired because it would be 'a mistake to uproot' private enterprise and careful delimitation was needed for 'the part to be assigned to the state in a planned economy'. The discussion thus begun was soon joined by M.A. Master in his presidential address to the Indian Merchants' Chambers in Bombay, B.M. Birla in his presidential address to the Indian Chamber of Commerce in Calcutta, the All India Manufacturers' Association meeting in Madras, and the Federation of Indian Chambers of Commerce and Industries at New Delhi, etc. Not only these different business lobbies, but the media took a prominent part in the discussions which developed to a fairly strong 'business outlook' differing significantly from the Gandhian or Nehruvian approaches. It is the contestation and negotiation between these three points of view which shaped the approach of independent India in the 1950s. The other two lines of thinking were at that time marginal: trend of thinking in the bureaucracy and the Leftist pronouncements. Of the latter, one example is included in this volume. The Communist Party advocated 'rapid planned industrialization of India under the direct guidance of the People's State', on the basis of 'nationalization of all key industries', 'state control of all capital resources', increased expenditure on the state's social services including a 'guaranteed living wage to all workers', and cooperative management by representatives of labour and the government. As regards the agricultural sector, the recommendations were abolition of landlordism, usurious practices, and 'private trade in people's food' as well as greater stress on cooperatives. This programme was on the election manifesto of the party. Finally, in the discussions on economic policy there was also a strand representing the government and the bureaucracy; the idea of post-war reconstruction figured saliently in post-war Europe and in response to that Sir Ardeshir Dalal, earlier among the authors of the Bombay Plan, was nominated as the Minister of Planning by the government. The outcome was an industrial policy declaration⁸⁸ in April 1945 and Dalal also made some statements.⁸⁹ But the entire exercise was futile because, as the policy statement admitted, the Government of India Act of 1935 made industry a provincial subject and also because of the fore-knowledge of the impending transfer of power. While the bureaucratic discourse was thus circumscribed by the anticipations of independence, it fuelled discussions on the agenda that came from other sources. The Communists' contribution was at that time marginal to the national discourse, although very soon other parties took over some of their agenda statements—to incorporate them into their own agenda and more so in their rhetoric.

Finally, I would like to conclude by drawing the readers' attention to one observation made in 1945 by many contemporaries. In the fortnightly report of the Home Department in November

⁸⁶ Nehru's Blue Print for a New India: Nehru's Economic Ideas elaborated during a talk with the editors in Bombay, 27 September 1945, *Selected Works of Jawaharlal Nehru*, Vol. 14, pp. 302–5. Chapter 12, Document No. 15, in this volume.

⁸⁷ *A Plan of Economic Development for India*, Part II, Chapter 12, Document No. 1, in this volume.

⁸⁸ See Chapter 12, Appendix II, in this volume.

⁸⁹ Ardeshir Dalal on Post-war Reconstruction, Madras, 25 January 1945, Chapter 12, Document No. 7, in this volume.

it was observed: 'There have been increasingly frequent references to the 1857 mutiny as the first phase of the struggle for Indian freedom and independence ...'.⁹⁰ In the first proclamation of the provisional government of Azad Hind at Singapore, brought to light by the INA Defence Committee in 1945, 1857 was similarly recalled: 'Indian people... under the flag of Bahadur Shah in 1857 fought their last war as free men'⁹¹ Asaf Ali, convener of the INA Defence Committee compared the INA trial with that of Bahadur Shah after the uprising.⁹² P.K. Sahgal compared the oppressive policies of the British Indian government to the 'veritable reign of terror' which followed 1857.⁹³ The way the memory of 1857 is recalled over and again perhaps indicates the timbre and tone of the political discourse in India in 1945. That marked 1945 apart from the other years in the decades leading to independence.

* * *

I would like to thank the eminent editor of this volume, Professor Bimal Prasad; he has, despite spells of illness and infirmities of age, helped us to complete this volume. He desires an expression of thanks to Dr Amit Kumar Gupta and Dr Shiela Sen. As everyone familiar with the ongoing work of researching, editing and publishing these volumes would know, it is more than routine acknowledgement when I say that Dr Gupta played an outstandingly important role in preparing this volume for publication.

In conclusion, I would like to acknowledge my indebtedness to the editorial team. In the latter half of 2005 as I was casting around for colleagues to work with me in the Towards Freedom project, I was fortunate to obtain as colleagues Professor Arjun Dev and Dr Amit K. Gupta (who had an important role in an earlier stage of this project); later Mr Rajesh Kumar, Mr Dusi Srinivas, and Ms V.I. Benasir joined us. Needless to say, the Editorial Committee which met from time to time since the middle of 2005 was of great help: my thanks go to my distinguished fellow-editors in charge of different volumes: Professors Bipan Chandra, Bimal Prasad, K.N. Panikkar, Sumit Sarkar, Arjun Dev, Mushirul Hasan, Basudev Chatterjee and Dr Sucheta Mahajan. I would also like to thank Oxford University Press, New Delhi, for their cooperation. Archiving is to historiography what brick-making is to architecture, and therefore our thanks also go to many unnamed archivists.

SABYASACHI BHATTACHARYA
General Editor

⁹⁰ INA Trial: Report on Demonstration in Delhi, Punjab, Madras, Bihar, Orissa, GOI, Home Poll File No. 18/11/45, NAI. Chapter 10, Document No. 19, in this volume.

⁹¹ Proclamation of the Provincial Government of Azad Hind, 21 October 1943. Document in Chapter 11, Appendix I.

⁹² The INA Fought as an Army of an Independent State: Statement by Asaf Ali, Convener of INA Defence Committee, 10 October 1945, Chapter 10, Document No. 6, in this volume.

⁹³ Statement made in the Court by P.K. Sahgal, 7 December 1945, Chapter 9, Document No. 5, in this volume.

Abbreviations

AHF	Azad Hind Fauj
AICC	All India Congress Committee
AIKS	All India Kisan Sabha
AISPC	All India State People's Conference
AITUC	All India Traders Union Congress
API	Associated Press of India
AISF	All India Students' Federation
CP	Central Provinces
CPI	Communist Party of India
CRR	Crown Record Representative
CSDIC	Combined Services Detailed Interrogation Centre
<i>CWMG</i>	<i>Collected Works of Mahatma Gandhi</i>
DIS	District Intelligence Service
GKU	Girni Kamgar Union
GOI	Government of India
ICS	Indian Civil Service
ILO	International Labour Organization
IMS	Indian Medical Service
INA	Indian National Army (of Subhas Bose)
IPS	Indian Police Service
JIF	Japanese Indian Force
MLA	Member Legislative Assembly
MP	Member of Parliament
NAI	National Archives of India
NMML	Nehru Memorial Museum and Library
NWFP	North West Frontier Province
PWD	Public Works Department
UN	United Nations
UNRRA	United Nations Relief and Rehabilitation Administration
UP	United Provinces
UPI	United Press of India

Calendar of Documents

Chapter 1: Indian National Army and Subhas Chandra Bose

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1.	1.1.45	‘Gird Up Your Lions’	Special Order of the Day by Bose	Government of India (hereinafter GOI) Home Department, (hereinafter Home Dept), Indian National Army (hereinafter INA) Papers, File No. 46/INA/7510 available in National Archives of India, New Delhi (hereinafter NAI)	1
2.	24.2.45	Operation Order No. 2 Issued to Unit No. 170	Documents from INA Exhibits; Documents from Court Martial of Shah Nawaz Khan, P.K. Sahgal and G.S. Dhillon, NAI	Exhibit No. ‘SSS’	2
3.	3.3.45	Intelligence Summary No. 3 of 501 Unit	Documents from INA Exhibits	Exhibit No. ‘III’, NAI	3
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5.	12.3.45	Subhas Chandra Bose to G.S. Dhillon	Documents from INA Exhibits	Exhibit No. ‘OOO’, NAI	5
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7.	9.4.45	‘The Charge of the Immortals’—the Fight on 16 March 1945, Report by Lieut G.S. Dhillon	Documents from INA Exhibits	Exhibit No. ‘UUU’, NAI	7
8.	20.3.45	G.S. Dhillon to Subhas Chandra Bose	Documents from INA Exhibits	Exhibit No. ‘QQQ’, NAI	8
9.	25.3.45	Battle Report No. 5, Submitted by G.S. Dhillon	Documents from INA Exhibits	Exhibit No. ‘RRR’, NAI	8

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12.	2.4.45	G.S. Dhillon to Colonel Shah Nawaz Khan	Documents from INA Exhibits	Exhibit No. ‘TTT’, NAI	19
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16.	25.5.45	‘Do Not Betray the Motherland’	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 16/INA/ 7510, NAI	28
17.	25.5.45	‘Likely Scenario of World Politics After Germany’s Defeat’	Bose’s Speech, Shonan	GOI, Home Dept, INA Papers, File No. 16/INA/ 7510, NAI	28
18.	30.5.45	‘Stop Persecution of INA Members’	Broadcast by Bose, Bangkok	GOI, Home Dept, INA Papers, File No. 16/INA/ 7510, NAI	30
19.	18.6.45	‘Have Confidence in Our Final Triumph’	Broadcast by Bose, Saigon	GOI, Home Dept, INA Papers, File No. 16/INA/ 7510 also File No. 54/INA/ 7510, NAI	31
20.	19.6.45	‘No Cause for Defeatism’	Broadcast by Bose, Bangkok	GOI, Home Dept, INA Papers, File No. 54/INA/ 7510, NAI	34
21.	20.6.45	‘What has Happened to Our Goal of Independence?’	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 54/INA/ 7510, NAI	39
22.	21.6.45	‘Scrap the Wavell’s Offer’	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 54/INA/ 7510, NAI	43
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26.	25.6.45	'Revolutionaries Not to Rush for Compromise'	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI 59
27.	27.6.45	'India's Independence is a Settled Fact'	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI 62
28.	3.7.45	'Freedom's Battle Will Go On'	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI 65
29.	6.7.45	'Situation Can Yet Be Saved'	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File 54/INA/7510, NAI 68
30.	15.7.45	'Lessons of the Simla Conference I'	Broadcast by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI 72
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34.	15.8.45	'Remain True to India'	Special Order of the day by Bose, Shonan	GOI, Home Dept, INA Papers, File No. 75/INA/7510, NAI 91
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2.	6.1.45	Plain Words to Britain	Comments on Sumner Welles' Book	<i>Bombay Sentinel</i> 101
3.	18.1.45	Purushottam Das Tandon's Version of Independence Day Pledge	Instructions to UP Congressmen	GOI, Home Dept, Poll(I), File No. 3/1/45-Poll(I), NAI, also <i>Leader</i> 103

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10.	25.1.45	Sarojini Naidu's Message for Independence Day		<i>Leader</i> 113
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28.	17.2.45	Gandhi's Protest Against Recent Arrests of Congress Workers	Statement to the Press	<i>CWMG</i> , Vol. 79, p. 129 142
29.	18.2.45	Constructive Programme to Hasten Achievement of Swaraj	Executive Committee of UP Congress Representative Assembly	<i>Leader</i> 144
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34.	–	'The Whole of India is a Vast Prison'	Gandhi's Foreword to <i>Gandhiji's Correspondence with the Government, 1942–44</i>	<i>CWMG</i> , Vol. 79, p. 216 150
35.	9.3.45	Congress Cut Motion in the Central Legislative Assembly	Speech by Abdul Qaiyum	<i>Legislative Assembly Debates</i> , New Delhi, 1945, Vol. II, p. 1254 151
36.	9.3.45	Bhulabhai Desai's Speech on the Cut Motion, and Details of Voting		<i>Ibid.</i> , p.1281 155
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45.	29.3.45	Encroachments on Freedom of Press to be Resisted	B.G. Horniman's Address at a Protest Meeting in Bombay Against Restriction on Freedom of the Press	<i>Bombay Sentinel</i> 181
46.	31.3.45	Gandhi's Protest Against Death Sentence for Ashti-Chimur Prisoners and Appeal for People's Action	Statement to the Press	<i>CWMG</i> , Vol. 79, p. 335 183
47.	3.4.45	People's Response to Gandhi's Appeal		<i>Bombay Sentinel</i> 183
48.	4.4.45	Nagpur High Court Stays Temporarily the Execution of Ashti-Chimur Prisoners Scheduled on 5 April 1945		<i>Bombay Chronicle</i> 185
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50.	8.4.45	Chimur and Ashti Incidents: An Expression of Popular Indignation and Fury	Editorial	<i>People's War</i> 186
51.	9.4.45	Gandhi's Letter to Bhulabhai Desai Regarding Chimur and Ashti Prisoners		Bhulabhai's Papers, File No. 8, NMML. Also see <i>CWMG</i> , Vol. 79, p. 345 188
52.	9.4.45	Demand for Immediate Formation of National Government	Muzaffar Ahmed's Presidential Address at Netrakone (Bengal) Conference: The Ninth Annual Session of the All India Kisan Sabha	<i>Amrita Bazar Patrika</i> 188
53.	5.4.45–15.4.45	Observance of National Week (i) Gandhi's Appeal for Observance	Statement to the Press	<i>CWMG</i> , Vol. 79, p. 334 191

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42.	26.9.45	Quit India-The Main issue	Nehru's Interview to the Press	<i>Selected Works of Jawaharlal Nehru</i> , Vol. 14, pp. 295-301 448
43.	28.9.45	Liberal Leaders' Comments on Attlee-Wavell Proposals	Statement issued by M.R. Jayakar, Kunwar Jagadish Prasad and N. Gopalaswami Ayyanagar	<i>Amrita Bazar Patrika</i> 452

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45.	30.9.45	Sikhs Oppose the Demand for Pakistan	The Central Akali Dal Conference	<i>Indian Annual Register</i> 1945, Vol. II, p. 170 455
46.	2.10.45	Asaf Ali on Two Nation Theory and the Demand for Pakistan	Interview with a representative of 'Orient Press of India'	<i>Bombay Sentinel</i> 456
47.	3.10.45	Khan Sahib and Other North-West Frontier Leaders on Pakistan Demand, Peshawar		<i>Tribune</i> 458
48.	6.10.45	Jayaprakash Narayan Drifting Further from Gandhi	Letter to Gandhi from Prison	Valmiki Choudhury (ed.), <i>Correspondence of Dr Rajendra Prasad</i> , New Delhi, Vol. VI, pp. 127-8 459
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51.	12.10.45	Communists and Elections	P.C. Joshi's Statement	<i>Indian Annual Register</i> , 1945, Vol. II, pp. 121-22 462
52.	12.10.45	Communist Party's Blue Print for a Free and Happy India		GOI, Home Dept, Poll(I) Branch, File No. 97/45-Poll(I), 1945, NAI 463
53.	19.10.45	The Only Thing that Matters is the Question of India's Independence	Khan Abdul Ghaffar Khan's Address at the Khudai Khidmatgar	<i>Tribune</i> 464
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59.	31.10.45	Pakistan Issue is No Issue for Muslim Minority Provinces: Syed Abdul Latif		<i>Tribune</i> 472
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61.	1.11.45	Jinnah Reveals League's Plan After Elections	Interview to the Associated Press of America, Bombay	GOI, Home Dept, Poll Branch, File No. 97/45, NAI 474
62.	8.11.45	Jinnah on Various Aspects of Pakistan	Interview to the Associated Press of America	Jamil-ud-Din Ahmad, <i>The Speeches and Writings of Mr Jinnah</i> , Lahore, 1947 pp. 230-3 476
63.	13.11.45	Congress Aims to Establish People's Rule	Asaf Ali's Election Speech in Delhi	<i>Hindustan Times</i> 477
64.	13.11.45	Constructive Programme: Its Meaning and Place	Gandhi's Foreword the revised edition	<i>CWMG</i> , Vol. 82, pp. 66-8 478
65.	19.11.45	Provincial Congress Committee to Organise Women's Work	Circular issued by Sucheta Kripalani, Secretary, Women's Department, AICC	<i>Bombay Chronicle</i> 480
66.	18.11.45	Jinnah Explains Position of Minorities Under Pakistan	Rejoinder to Patel', 18 November 1945 Statement, Interview to the Press	GOI, Home Dept, Poll(I) File No. 97/45-Poll(I), NAI 480
67.	27.11.45	Election Manifesto Unionist Party, Lahore		GOI, Home Dept, Poll (I), File No. 97/45-Poll(I), NAI 481
68.	28.11.45	B.S. Moonje on Patel's Statement Asking Hindu Mahasabha Members to Join Congress and Fight Pakistan		B.S. Moonje Papers, File No. 81/1945, NMML 483
69.	4.12.45	British Parliamentary Delegation to Unite India	Statement by Lord Pethick-Lawrence	GOI, Home Dept, Political Branch File No. 97/45 Poll (I), NAI 485
70.	5.12.45	Congress Leaders' Reaction to Announcement of Parliamentary Delegation to India	Comments by G.B. Pant, Shankarrao Deo, Gopinath Bardoloi, Asaf Ali and Sarat Bose	GOI, Home Dept, Poll (I) Branch, File No. 97/45-Poll(I), NAI 486

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71.	7.12.45	Partition Only Solution	Jinnah's comments on the latest announcement in Parliament	<i>Bombay Chronicle</i> and GOI, Home Dept, Political Branch, File No. 97/45-Poll(I), NAI 487
72.	7.12.45–11.12.45	Proceedings and Resolutions by CWC	Summary of Proceedings and Resolutions passed at the meeting in Calcutta	<i>Indian Annual Register</i> , 1945, Vol. II, pp. 100–2 488
73.	12.12.45	Azad Explains the Resolutions Adopted by CWC		<i>Hindustan Times</i> 492
74.	12.12.45	Congress Election Manifesto for Provincial Assembly Elections		<i>Hindustan Times</i> 494
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77.	22.12.45	Muslim League—a Creation of British Imperialists	Press Interview by Abdul Ghaffar Khan	<i>Leader</i> 500
78.	24.12.45	No Begging for the Release of Jayaprakash Narayan	Nehru's Speech at Release Jayaprakash Rally, Patna	<i>Selected Works of Jawaharlal Nehru</i> , Vol. 14, pp. 278–81 501
79.	26.12.45	Freedom Fighters of Bengal Still in Prison and their Treatment	Letter from Provincial Congress Committee	AICC Papers, File No. G-38 of 1945, NMML 503
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4.	21.9.45	Charges Against Members of Communist Party in the Congress	AICC Papers, File No. G -23 (Part-I) 1945–46, NMML	526
5.		Charge Sheet Against Members of Communist Party in the Congress	P.C. Joshi, <i>Communist Reply to Congress Working Committee Charges</i> (PPH, Bombay 1945)	533
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7.	5.10.45	Communist to Quit Congress	Joshi's Statement <i>Indian Annual Register</i> , 1945, Vol. II, pp. 119–21	537
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		(ix) Fortnightly Report for Second half of November 1945			
4.		Political Activities in Mewar State (i) Weekly Confidential Report from 26 January from Inspector General of Police, Udaipur to the Prime Minister, Udaipur (ii) For the Week ending 10 August 1945 (iii) For the Week ending 17 August 1945 (iv) For the Week ending 5 October 1945 (v) For the Week ending 7 December 1945	Extracts from the Weekly Confidential Reports	CRR, NAI	606
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Chapter 12: Thoughts on Shaping New India

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14.	18.9.45	Resolutions of National Planning Committee		<i>Bombay Sentinel</i> 1019
15.	29.9.45	Nehru's Blue-Print for a Free India	Nehru's Economic ideas elaborated during a talk with the editors	<i>Selected Works of Jawaharlal Nehru</i> , Vol. 14, pp. 302, 305, <i>Hindu</i> 1020
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	13.11.45	(iii) Gandhi to Nehru		<i>CWMG</i> , Vol. 82, p. 71
17.	8.11.45–10.11.45	Resolutions of National Planning Committee		Report: National Planning Committee, 1949 1025
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19.	18.11.45	Scaling Down of Sterling Balance	G.D. Birla to Purshottamdas Thakurdas	P. Thakurdas Papers, File No. 55, NMML 1033
20.	29.12.45	M. Visvesvaraya on Economic Development	Presidential Address to the All Indian Manufacturers' Organization Conference	<i>Hindu</i> 1035
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		(i) Resolution Passed at the Working Committee Meeting held in Bombay		
		(ii) Resolutions Passed at the Working Committee Meeting held at Poona		
25.	30.9.45	Protest Against the Use of Indian Troops in Indonesia	Jawaharlal Nehru's Statement	<i>Selected Works of Jawaharlal Nehru</i> , Vol. 14, p. 447 1044
26.	28.10.45	India's Lead in Asian Liberation	Nehru address to South East Asia Day meeting	<i>Ibid.</i> , p. 459 1045
27.	28.10.45	Obligations of the United States	Nehru's Press Statement	<i>Ibid.</i> , Vol. 14, pp. 457-9 1046
28.		Narendra Dev on Foreign Policy Issue		<i>Amrita Bazar Patrika</i> , 1047
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Appendix				
I		The Gandhian Plan of Economic Development for India		Sriman Narayan Agarwal, <i>The Gandhian Plan of Economic Development for India</i> , Padam Publications Ltd, Bombay, 1945 1055

Chapter 1. Indian National Army and Subhas Chandra Bose

SECTION I: CAMPAIGNS OF INDIAN NATIONAL ARMY

1. 'Gird Up Your Loins'

'Special Order of the Day' by Subhas Chandra Bose, Supreme Commander, Azad Hind Fauj.
Government of India, Home Department (hereafter GOI, Home Dept), INA Papers File No.
46/INA/7510 National Archives of India, New Delhi (hereafter NAI).

Shonan¹

1 January 1945

Comrades of the Azad Hind Fauj,

On this auspicious New Year Day, I want you, first of all, to look back on your achievement and on your progress since the formation of the Azad Hind Fauj.² There can be no doubt whatsoever that in spite of many difficulties and drawbacks, your achievements and progress have been truly remarkable. This has been possible because of the passionate desire for freedom which inspires the Indian people today, the many sided assistance rendered by our countrymen in East Asia, the valuable aid offered by our Allies and, above all, the hard work and sacrifice that you yourselves have put in.

Before the end of 1943, Units of Azad Hind Fauj began moving in the direction of the Indo-Burma Frontier. On the 4 February 1944, India's War of Independence was launched in the Arakan region of Burma. On the 21 March 1944, we were able to proclaim to the whole world that the Azad Hind Fauj had crossed the eastern frontier of India and was fighting on the sacred soil of India. Since then, the fight has been going on and in the course of that campaign, many of our comrades, while fighting heroically, had laid down their lives on the field of battle.

The heroism and self-sacrifice of the officers and men of the Azad Hind Fauj in India's War of Independence have already become a priceless heritage for the India of tomorrow—while for the Azad Hind Fauj itself, they have become a glorious and undying tradition which will serve as an inspiration for all time.

Comrades, on this auspicious day, I want you all to pay a silent homage to our immortal heroes and to renew your solemn pledge to continue the fight until complete victory is achieved. India is calling you. The souls of your comrades are urging you on to still braver deeds. Therefore,

gird up your loins for the hard battle that lies ahead. There can be no rest and no pause for us, until our tricolour national flag is hoisted over India's metropolis.

Comrades! Our immortal heroes have paid for India's liberty with their own blood. We are proud of them. But we too must be ready for that supreme sacrifice. The Azad Hind Fauj can justify its name and fulfil its task only if it is ready to fight and die to the last man. We have to give our blood and to take the blood of our enemies. Therefore, let your slogan, your battle-cry for the year 1945 be 'Blood, blood and blood'.

¹ Shonan was the name of Singapore. It was also spelt as Syonan.

² The Indian National Army or the Azad Hind Fauj was formed by the Indian Independence League in South East Asia in 1942.

2. Operation Order No. 2 Issued to Unit No. 170 on 24 February 1945 by its Commander, G.S. Dhillon

Documents from INA Exhibits, Exhibits 'SSS'; Documents from court martial of Captain Shah Nawaz Khan, Captain P.K. Sehgal and Lieut G.S. Dhillon, NAI.

1. Information:

- (a) Enemy: Enemy Infantry and armoured troops have captured Pyinbin and elements of the same have been reported in Seiktein and Legyu and Kyauk Padaung Myingyan Road. But this report is not confirmed.
- (b) Own Tps: Our Bn of the Khajo Botai has taken up position on Kyauk Padaung Myingyan Road in Gyaingywa. One Bn of the same unit is going to take up the defence of Kyauk Padaung. Unit No. 205 AHF is preparing Popa defences and strengthening up the same, apart from patrol activities in its front and flanks¹.

2. Intention:

No. 170 unit will carry out intensive Guerrilla warfare and patrolling against the enemy in the areas marked in the attached map.

3. Method:

- (a) No. 2 Bn with Kyauk Padaung as base will operate in No. 1 area and will also send a fighting patrol along the route marked on the Map to find out the type, location and activities of enemy. The patrol on finding out will report straight back to No. 251 unit.
- (b) No. 1 Bn will form a Guerrilla Company. No. 3 Bn will also form a Guerrilla Company. These Companies with Popa as base will operate in areas 2 and 3.
- (c) Regimental Headquarters and rest of the unequipped strength of 1 and 3 Bns will also help in preparation of defences there.

4. Administration:

Seven days' ration will be taken by the outgoing parties. Each Guerrilla party will be accompanied by orderlies, who will carry with them necessary medicines. AQM will have hundred Grenades from 265 unit. Rs 1000 will be taken by each party for purchase of fresh rations or to meet any unforeseen necessities, and issue fifty each to No. 1 to 3 Bns.

5. Inter-Communication:

Under all circumstances during the absence from Hqr. parties will send back necessary information at least once a day or more, if needed.

¹ The places mentioned in (a) and (b) were located in the Burma-Arakan region (Indo-Burma frontier) where the INA operated in the aftermath of the Kohima campaign.

3. Intelligence Summary No. 3 of 501 Unit,
Dated 3 March 1945 by G.S. Dhillon

Documents from INA Exhibits, Exhibit No. 'III', NAI. Reference—Map Sheet No. 840, 84 K and 84 P Scale 1" 4 miles or 1' = 2,50,000¹

28 February 1945. Enemy was reported to be advancing towards Kyauk Padaung by Pyinbin, Letpanbin road. An attack was put up by certain Japanese units but it was found out afterwards that there was no enemy.

Undermentioned officers with their batmen went on exercise with all Div. Ancillary units. Units came back safely with the officers and their batmen did not. It appears that either they have been captured or have gone over to the enemy side:

Major Mohammad Riaz Khan, Major P.J. Madan, Major S.N. Day, Major Mohammad Sarwar and Lt Mohammad Bakhsh.

1 and 2 March 1945. Nothing much happened during these days. Patrol activity from our side continued. Enemy tried to encircle the Guerrilla party in the vicinity of Tibu, but failed. Our Patrols went up to Sektien and Welaung and got information that enemy has gone towards Taungtha. The enemy strength was 12 tanks and five hundred lorries. No enemy could be seen on the roads between Taungtha, Welaung and Seikten. Neither a Telephone line. Most of the civilians are pro-Americans as they are given rice, milk, cigarettes, PT Shoes and clothes by the enemy. Our parties had to pretend that they were on the American side in order to get information from the civilians. It was also found out that the enemy is strong in medium and light tanks as well as carriers.

Following forms the enemy:

Americans—Not many

Indians, Gurkhas, Negros, Chinese and Kochins.

One of our parties was very heavily bombed at a place about six miles from Popa in the northerly direction. Our losses were the following:

Rifles	6	Equipment	8
Bayonets	6	Rounds 303" ball 500	
Grenades	2	Blankets	9
Ration Tins	11	Pay books	8
Ground Sheets	11		

Only one man was slightly wounded.

3 March 1945. Reference—Intelligence Summary No.1 of 25 February 1945.

The enemy which had gone from Pyinbin towards East and Taungtha has now been reported to have gone partly to putting up an offensive from Myingyan towards south, from Meiktila towards Taungtha, from Popa towards Pyinbin, while AHF Troops are going to attack from Kyauk parading towards Nyaungu.

¹ Not included.

4. Intelligence Summary No. 5 Dated 7 March 1945 by G.S. Dhillon
Documents from INA Exhibits, Exhibit No. 'NNN', NAI.

Most Secret

Intelligence Summary No. 5

No. 501 Unit AHF

7 March 1945

Ref. Map Sheet No. 840 84 K, and 84 P scale 1" 4 miles or 1' = 2,50,000.

4 March 1945. A fighting patrol of about 20 men, under command of S. Abdullah Khan No. 516 Unit AHF was reconnoitring the area of Daungle village on 4 March 1945 at 1700 hrs when the patrol was informed about the arrival of an enemy patrol in the area 014558 Map Sheet No. 84/P1 by a Burmese. The enemy patrol consisted of 15 British soldiers carried in three Jeep cars. On receiving the news about the enemy our patrol approached the enemy patrol and opened fire on them. The enemy patrol who had been caught by surprise replied the fire of our patrol, but they could not stand up against the accurate and concentrated fire of our patrol. The enemy fled leaving two dead bodies and 2 Jeep cars behind. It was confirmed from the Burmese that all the other members of the enemy patrol had also been wounded before they fled.

Following arms, ammunities, equipments and vehicles were captured from the enemy:

Cars (Jeep)	3	Gas Checks	3
Bren Gun	1	Binoculars	2
Sten Gun	1	Compasses	1
Rifles	2	Shorts	2
Discharger Cup	1	Blankets	8
Grenades	8	Web Equipment sets	6
Ammunition Rounds	400	Map sheets 84 1/13	1
Wireless sets	1	Bren Gun Magazines	6
Sten Gun Magazine	8	Tools for 3 Cars	3
Some quantity of Toilet materials.			

On examination it was ascertained that the enemy dead were British and from the documents captured it was confirmed that they belonged to 2nd Lancaster Regiment.

The documents which were captured from the enemy will be sent in due course. The Map sheet which was captured from the enemy is sent to you.

Our losses were one slightly wounded.

From the documents found in the cars it appears that up to the end of Nov. 1944 2nd Bn S. Lancer were in Kohima and in Dec. they moved to Palel and the Bn has now arrived in this sector from Palel.

On same date enemy with 7 lorries, 3 carriers strength about 200, mostly Indians and a few Americans, were seen 9 miles from Kyauk Padaung on Kyauk-Padaung-Taungtha road. When they saw our patrol, they showed a white flag but when our patrol called on them they tried to open fire. Patrol being weak in numbers came back.

5 March 1945. Outposts and forward patrols of No. 515 unit saw an enemy composed of 4 tanks and about 500 infantry operating in Daungle area. As a result of some fire from both sides the enemy withdrew.

Patrols of 420 units found some enemy about 9 miles from Kyauk Padaung on Kyauk Padaung Taungzin road near a village Dhatsi. They were digging. This appears to be a permanent position.

On Kyauk Padaung Meiktila road small forces of enemy supported by tanks have also been reported by 420 unit.

6 March 1945—Nothing unusual.

5. Subhas Chandra Bose to G.S. Dhillon, 12 March 1945

Documents from INA Exhibits, Exhibit No. 'OOO', NAI.

Sadar Daftar Ala Kaman

Azad Hind Fauj

(Headquarters, Supreme Command, Indian National Army)

Rangoon

12 March 1945

Major G.S. Dhillon

Jai Hind,

I have been following the work of your Regiment and of yourself with the closest interest and I want to congratulate you on the manner in which you have stood up to face bravely the situation that is difficult. I want to express my complete confidence in you and in all those who are standing by you in the present crisis.

Whatever happens to us individually in the course of this historic struggle, there is no power on earth that can keep India enslaved any longer. Whether we live and work, or whether we die fighting, we must, under all circumstances, have complete confidence that the cause for which we are striving is bound to triumph. It is the finger of God that is pointing the way towards India's freedom. We have only to do our duty and to pay the price of India's liberty. Our hearts are with you and with all who are with you in the present struggle which is paving the way to our national salvation. Please convey my warmest greetings to all the Officers and men under you and accept the same yourself. May God bless you and Crown your efforts with success.

'Jai Hind'

6. 'No Place for Cowardice and Treachery'

Special Order of the Day issued by Subhas Chandra Bose, 13 March 1945, to all officers and men of the Azad Hind Fauj about the mode of dealing with deserters.

Documents from INA Exhibits, Exhibit 'CC' Court Martial Documents, NAI.

Burma 13 March [1945]

Comrades!

As you all know, the positive achievements of the Officers and men of the Azad Hind Fauj last year on the field of battle, and the victories that they scored over the enemy through their patriotism, bravery and self-sacrifice were marred to some extent by the cowardice and treachery of a few officers and men. We were hoping that with the advent of the New Year all traces of cowardice and treachery would be wiped out; and that in this year's operations the Azad Hind Fauj would be able to put up an unsullied record of heroism and self-sacrifice. But that was not to be. The recent treachery of five officers of the HQ of the 2nd Division has come as an eye-opener to us that all is not well within our ranks, and that the seeds of cowardice and treachery have yet to be wiped out. If we now succeed in exterminating cowardice and treachery once for all, this shameful and despicable incident may, through God's grace, ultimately prove to be a blessing in disguise. I am,

therefore, determined to take all possible measures necessary for the purification of our Army. I am confident that in this I shall have your full and unstinted support. In order to destroy completely the germs of cowardice and treachery, the following measures will have to be adopted:

1. Every member of the Azad Hind Fauj, Officer, NGO, or Sepoy will in future be entitled to arrest any other member of the Azad Hind Fauj, no matter what his rank may be, if he behaves in a cowardly manner or to shoot him if he acts in a treacherous manner.
2. I am giving an opportunity to all members of the Azad Hind Fauj who may not feel inclined to work dutifully or fight courageously in future to leave the ranks of the Azad Hind Fauj. This offer will be open for one week from the time of its communication.
3. In addition to giving an opportunity to unwilling elements to leave voluntarily the ranks of the Azad Hind Fauj, I want to carry out a thorough purge of our Army. During the course of this purge, all those will be removed against whom there is suspicion that they may fail us, or betray us, at the critical moment. In order to carry out this purge successfully, I want your fullest cooperation and I want you, therefore, to give me and my trusted officers all available information about any cowardly or treacherous elements that may still exist in our Army.
4. It will not be enough to carry out a thorough purge now. In future also vigilance will have to continue. It will, therefore, be the duty of every member of the Azad Hind Fauj in future to keep his eyes and ears open in order to detect in good time any tendency towards cowardice or treachery. He should report at once, either orally or in writing, either to me or to the officers who may be within reach. In other words, from now onwards and for all time, every member of the Azad Hind Fauj should regard himself as the custodian of the honour and reputation of the Azad Hind Fauj and of the Indian Nation.
5. After the purge has been carried out and unwilling elements have been given an opportunity of leaving our Army, if there is any case of cowardice or treachery, the punishment will be death.
6. In order to create within our Army a moral bulwark against cowardice and treachery, we have to create an intense hatred against cowardice and treachery in any form. A strong feeling has to be created in the mind of every member of this Army that for a member of a revolutionary army, there is no crime more heinous and despicable than to be a coward or a traitor. Instructions are being issued separately as to how we can create such an intense hatred against cowardice and treachery so that there will be no more cowards or traitors within our ranks.
7. After the purge has been carried out, every member of the Azad Hind Fauj will be required to renew his oath to fight on bravely and courageously until the emancipation of our dear Motherland is achieved. Instructions regarding the form and manner of this oath will be issued separately.
8. Special rewards will be given to those who give information regarding cowardly and treacherous elements or who arrest or shoot at the front cowardly and treacherous elements.



7. 'The Charge of the Immortals', the Fight on 16 March 1945, Report by Lieut G.S. Dhillon

The Report dated 9 April 1945 by Lieut G.S. Dhillon on the fight by one Company of Azad Hind Fauj under Lieut Gian Singh Bist who died along with 40 of his men while fighting hand to hand.

Documents from INA Exhibit No. 'UUU'; Documents from Court Martial of Captains Shah Nawaz Khan and P.K. Sahgal, Lieut G.S. Dhillon, NAI.

The Charge of the Immortals

It was a flat stretch of land without any cover either from view or from fire, except a shallow dry pond near which three roads of great tactical importance met. Four miles north-west of this point was a Hill, 1,423 feet high, behind which the enemy Artillery was located so as to cover the road junction and the area south of it, the occupation of which would affect the entire plan of operations.

At a key point like this was placed a company of Azad Hind Fauj under the command of 2/Lieut Gian Singh Bisht, trained at the Officers' Training School, Azad Hind Fauj. The Company was only ninety-eight strong. They had no Machine Guns or even Light Machine Guns. Good old Rifles were their only weapon of defence or offence apart from two A/Tk Mines. Their orders were to check any enemy advance at all costs.

They remained in that position for two days, but the enemy dared not advance. Then on 16 March 1945, starting early morning, hostile fighting planes bombed and machine gunned their positions until about 11 a.m. Having got rid of all the load they had, aeroplanes went away. Then the enemy Guns from behind the Hill started registering, and behind this barrage of Artillery fire advanced a column of Motorised Infantry consisting of 13 tanks, 11 armoured cars and 10 trucks. Half of this column made its way straight towards the pond where two Forward Platoons of the Company were in position. Lead and explosives were being thrown out of the Armoured Fighting Vehicles, but this would not frighten our boys; they waited in their trenches for the infantry to debus. Tanks and Armoured Cars like steel monsters, creating hell with their fire power, approached so close that they started charging on to our trenches so as to crush and cripple our men under their heavy weight. Two mines were thrown in their way which unluckily did not burst, but they caused the monsters to stop, which having stopped became stationary pill boxes oozing out most inhuman form of killing materials.

There was no communication between this post and the Battalion H. Qrs when 2/Lieut Gian Singh appreciated that their rifles' fire was no match to the enemy's Mortars, Machine Guns, Light Automatics and Hand Grenades and their staying in trenches meant certain death or captivity with no loss to the enemy, he ordered, 'Charge'. Leading the assault he shouted slogans of '*Netaji ki Jai*', '*Inqilab Zindabad*', '*Azad Hindustan Zindabad*' and '*Chalo Delhi*'. All the men responded to slogans which echoed above the enemy fire. This was the only support which these heroes had against the superior armament of the enemy. In the name of India and Indian Independence they charged into the Enemy trucks. The enemy immediately debussed. Hand to hand fighting ensued which lasted for full two hours, but our heroes would not give in. Forty of them sacrificed their lives after killing more than their equal number of the enemy. Their unconquerable spirit harassed the enemy so much that he started retreating.

Just then 2/Lieut Gian Singh called forward his Third Platoon Commander 2/Lieut Ran Singh and was giving out orders when a bullet struck on his head and he fell down never to give out orders again. 2/Lieut Ran Singh then collected the remnants of the company and reorganised.

2/Lieut. Gian Singh Bisht used to tell his men that he would die with them. He fulfilled his promise and remained their comrade in life and death. This was a glorious deed of which History will remain witness as long as there is a world. 2/Lieut. Gian Singh and his men lived up to the ideals of our Great Leader—the Nétaji—and have laid down their lives fighting by their posts to build up a tradition for us to follow. In FREE India the spirit of these Heroes who knew no defeat will be worshipped for generations to come and will inspire the future sons of India to live up to such high ideals.

8. G.S. Dhillon to Subhas Chandra Bose, 20 March 1945

Documents from INA Exhibits, Exhibit No. 'QQQ', NAI.

Burma
20 March 1945

Beloved Netaji,

Jai Hind

I have received your letter of 12 March 1945. Not words, only tears could express my feelings.

I thank you with all my heart for expressing your complete confidence in me and in those who are with me. I assure you, our Netaji, on behalf of the Regiment that no matter what may come our way, we will continue the struggle according to your ideals and wishes to earn our Motherland's Freedom as long as a single soldier of this Regiment is alive.

As for myself, my last words to you at Rangoon, '*Main ap ki ankhen kisi ke samne nichhi na hone dunga*', have been ringing in my ears ever since I left you, and specially so after I have come back from Nyaungu. I fully realise that in spite of reasons which may be produced I have not failed to do what I voluntarily promised, but have been the only regimental Commander to bring humiliation to you and to the Azad Hind Fauj. I have no face to promise again, only my actions will do so.

Your letter has put a new spirit into us.

All the officers and men present here and I, humbly and with warmest hearts, have accepted your greetings. We are confident that with God's grace and your blessings it will not be difficult to achieve success.

We all pray for your long life and health to guide us through this Holy war.

Jai Hind

9. Battle Report No. 5, Burma, 25 March 1945 Submitted by G.S. Dhillon

Documents from INA Exhibits, Exhibit No. 'RRR', NAI.

Secret

Battle Report No. 5

Unit No. 450

Burma, 25 March 1945

Since the submission of the last report No. 4 of 18 March 1945 nothing of importance has happened, though the patrol activities on both sides have been on the increase. Some of the points noticed are reported below for the sake of interest and training:

1. During these days we have been sharing the occupation of most of the places in our area with the enemy. We would occupy during the night and they during the day as if a definite settlement existed between the two.
2. Many a place have we attacked during the night only to find that there was no enemy.

3. Many a time our patrols were seen by the enemy patrols or vice versa and firing started on both sides mostly from long ranges.

One day, that is, 20 March 1945 at about 1600 hrs an enemy patrol about fifty strong came in front of the dispositions of 'A' Coy unit. Timely warning was given by the forward listening posts and our Coy Comdr Lt Ram Nath sent forward two platoons to encircle this enemy. Before this could be done the enemy started running back. Our men ran after him for about two miles as if chasing a game during peace time. The Coy and Platoon Comdrs tried their best to collect the two platoons, but men would not listen. Most of these men were civilian recruits from Malaya. The enemy was firing back at our men, but our men would not take to the ground; instead they said 'Oe, bat to sun jao'. It was after about two hours that our Comdrs could collect all the men. When told that they should not do like this and must make use of the ground... our men said, 'Sahib ham kia karen, dushman to rukta hi nahin hai, bhage chala jata hai'. This story shows a grand spirit, but poor training.

4. It was learnt from the Japanese MP that the villagers round about Pongobin informed that on the days following our attacks on Hill 1860, the enemy took back 3 full lorry loads of the dead. Of course wounded must be more.
5. It has also been learnt that the enemy troops take away women from the nearby villages west of Taungin Hills by force, keep them for a day or so and then send them back. Rape cases being so frequent that the villagers are getting anti-British. This is another point where the enemy cannot defeat us for he may give them food stuffs, but honour cannot be compensated by anything, and the Burmese people are very touchy as far as self-respect is concerned.
6. On 21 March 1945.

Our positions of Unit No. 453 were disclosed to the enemy by a Burmese Spy and thus were heavily shelled, bombed, mortar fired and machine gunned, for about four hours during the afternoon. The result was one man L/NK Sudarshan was so slightly wounded that even his evacuation was not necessary. This is a proof of taking to the cover.

7. Feeling the necessity of more training, it is being arranged by these H. Qrs to issue 'Training Notes During War' to platoons within this unit. A copy of Note No. 1 is attached herewith.

As a result of this race, we got three 2" mortars, bombs and one rifle magazine with nine rounds which the enemy had to leave back to lighten the load or due to nervousness.

G.S.,
Major
Commander No. 450 Unit AHF

10. Extract from the Diary of P.K. Sahgal (2/10 Baluch Regt), 24 January 1945 to 28 March 1945

Documents from INA Exhibits, Exhibit No. 'DDD', NAI.

- | | |
|---------|---|
| Jan. 24 | Went to the range in the morning and fired the new Mortar. It is a very accurate weapon, but the ammunition situation is not very satisfactory. Very busy carrying out the reorganisation of the Regt. In the evening received orders that 29th has been finally fixed as the date for my move. |
| Jan. 27 | The whole day very busy getting my first Bn ready to move. |

- Jan. 31 Issued orders and instructions regarding the move of the Division from Prome to Kyauk Padaung.
- Feb. 4 New promotions have been published and there was a ceremony at Netaji's bungalow when Zaman was presented with Major General badges rank. Saw Netaji for short time about the move of my Regt.
- Feb. 8 Got the news that my role is going to be defence of Popa Hill.
- Feb. 13 Left Rangoon at 0700 hrs by car ... spent the day at Sako Butay HQ Rest House.... Had a long discussion with Major General Iwakuro about the employment of No. 2 Div.
- Feb. 17 Arrived at Yenang Yaung early in the morning. Recd Reports that enemy had already crossed the Irrawaddy river, most serious. Met Major General Yamamoto and discussed the situation with his Staff Officers.
- Feb. 18 Arrived at Popa early in the morning and met Dhillon who had arrived the previous day. Dhillon told me the crossing took place on his right flank where Japanese troops were guarding the crossing. He also told me that Capt. Hari Ram with a number of Officers and men had gone over. One of his Coys and one pl. refused to go over to the enemy. Capt. Chander Bhan's Bn fought most gallantly and at the end managed to extricate themselves. He expected within the next 2/3 days he will be able to gather nearly 500 men. This is good news.
- Feb. 19 Dhillon is very despondent about the condition of the Regt. There is no discipline left and the morale is gone. They are a source of nuisance to me also because they wander about and give away my positions also.
- Feb. 22 Col. Shan Nawaz and Boobi arrived early this morning. Col S.N. is taking over the Tempy Command of the Div. until Col Aziz gets well. Spent the day explaining the current situation to Col S.N.'s Comd. in preparing the defences of Popa when came to call on Col S.N. He seems to be a decent sort.
- Feb. 23 Climbed up Pt 2640 with Col. S.N. to explain to him the defences of Popa. An order from Saku Army was received to the effect that the INA units should carry out Guerrilla activities to help the Nippon units attacking the enemy. S.N. decided to form 4 Coys out of No. 4 Guerrilla Regt for this job. Went with S.N. to see Dhillon, who agreed to S.N.'s plan. S.N. left to report the situation to Netaji.
- Feb. 24 Early morning recd information that enemy tanks have broken through to Seiktin. One Bn of Kanju unit has taken up a defensive position on Kyauk-Padaung-Myingyan road. My Regt takes over the responsibility for Popa-Pyinbin road. Sending out a recce patrol to find out the situation on this road. I may have to employ one of Dhillon's Coys to carry out Guerrilla warfare in Pyinbin area.
- Feb. 27 Late last night report came thro' that some enemy had gone to Pozu near Kyauk Padaung and it was confirmed that it was only a fighting patrol supported by tanks and carriers. I am convinced that we must attack Meyne immediately, but I have no force available for the task. I requested the Kanju unit to either take up a defensive position in my area for a day and relieve my forces for an offensive or to lend me a couple of Coys to cooperate with my attacking units. I hope the Comd. will agree with either of the 2 suggestions.
- Feb. 28 Information from Nippon source that some enemy lorries have been seen going towards Kyauk Padaung from Pyinbin. I do not consider the Inf. trustworthy. Khanju Butai is going to attack the enemy tonight. I've promised to block the road behind the enemy to cut off his retreat.

- March 1 I had to sentence an officer to death this morning for refusing to go to the front. What a pity, it is such a waste of human life. Inf. received that Majors Riaz, Madan, Sarwar, Dey and Lt Mohammad Bux who went on an exercise last night have not so far returned. I am terribly worried about them. I do hope that they have not gone over to the enemy.
- March 2 Those officers have not returned so far. I am certain they have gone over to the enemy—the treacherous swines. From now on I am going to be absolutely ruthless. I have already replaced one Bn Comd. I have issued orders that any one making a suspicious movement is to be shot immediately. I wish Shah Nawaz would come back soon and take charge of his Division, then I can devote more attention to my own Regt.
- March 3 News from Khanju Butai that they are going to start an offensive with effect from tonight. I have promised to protect their left flank during the attack, but I am very keen that at least some of our own forces should participate in the offensive. I hope the Nippon side will agree to my suggestion.
- March 4 Comd. of Khanju Butai came to have dinner with me. While we were having dinner, news came thro' that my patrol had captured 3 cars and put to flight an American patrol who left 3 dead bodies behind.
- March 5 Managed to bring back 2 of the Jeep cars and the captured arms and ammunition and one wireless Set. About 1200 hrs got the report that an enemy force about 500 strong with tanks and guns were advancing towards No. 1 Bn's position. I rushed to Bn area where I got the news that the enemy had burnt Daungle and was around there. I had 2 pls out, one of which kept on harassing the enemy who moved off towards my right flank. Got the news that the Japanese Bn on my right had moved forward and that my right flank was in the air. Rushed up one Coy of 4 Guerrilla and 2 pls of No. 1 Inf. to fill up the gap. No attack by the enemy.
- March 6 A quiet day today. The enemy force that came yesterday did not stay to fight. Enemy threat on the Kyauk Padaung-Meiktilla road getting to be dangerous. Ordered No. 4 Guerrilla Regt to take up a defensive position around Kyauk Padaung to meet any enemy advance from Meiktilla or Pagan side. Kawabara told me that it was most likely that my Regt would carry out an offensive along the Kyauk Padaung-Pagan Road. I hope it will be so, because I am confident my Regt would give a very good account of themselves in such an action.
- March 7 Bulk of my Regt has not so far arrived and as we have to get a Regt ready to undertake the attack by the 10th much against my will, I had to detail No. 4 Guerrilla Regt for the attack. In the afternoon received a message that an enemy patrol is in a village 3 miles from Daungle. I have told Khazim Shah to carry out a raid. I hope it will be successful. Went to look for 2nd Division parties, found one on the way. Discovered that they had been delayed owing to a heavy air raid.
- March 8 One party of the 2nd Division arrived today. One SO and Sep. had been killed owing to enemy air raid and two persons had been wounded. In spite of every thing, the morale and spirit of the men is very high. Enemy aeroplanes dropped pamphlets specially addressed to the officers and men of my Regt. These pamphlets were signed by Major Mohammad Sarwar, the dirty swine.
- March 11 2 Lt Ali Hussain with one SO and two other men went over to the enemy today. They tried to take one of my sepoy with them, but he escaped from them and

- came back. I have taken into custody all the officers and men whose movements are suspicious.
- Dhillon has gone into attack today. I hope he will do something really good. We need to wash off the disgrace that has been caused by these traitors.
- March 13 Dhillon must have gone into attack last night, but no news of the result as yet.
- March 14 News that Pynbin has been reoccupied by the Japanese and there are only about 500 enemy in Taungoon. I must attack them immediately. The enemy, I believe, is on the retreat. Dhillon attacked Taungoon last night, but there was no enemy. I have made up my mind to move out tonight with two Companies of Banta Singh's Bn and attack the enemy.
- March 15 Marched off from Popaywa last night at 2300 hrs and arrived in Setsatyo at 0600 hrs today. Marching through the sand is very hard indeed. Bullock carts carrying water could not reach us, nor could my car and the motorcycle. Had to buy water locally. Liaised with the Nippon Coy Comd. who said that he knew everything about the enemy dispositions. Decided to attack tonight with one pl. of the Japanese cooperating. I had a severe attack of Diahorrea—feeling very weak.
- March 16 Left Setsatyo at 2130 hrs on the 15th. Arrival Myene at 2330 hrs. Met no enemy on the way. Took up a position at Myene with 2 pls. Attacked from the left flank with one Coy under 2/Lt Jogindar Singh and made a faint attack from the right flank with one pl. under Amar Chand. Two sections of the Japanese accompanied JS and one section accompanied AC. JS attacked 4 lines of the enemy trenches, but met no enemy.
- March 17 The Japanese were reluctant to go forward after the first line, but JS had to bent [sic] them to take forward. AC met a small patrol of the enemy who opened fire on him. AC replied by throwing grenades. Casualties: enemy about 8 to 10 killed. Our side one killed and one missing. Retired to Setsatyo in the morning and spent the day there. Left Setsatyo at night and marched back and arrived Popaywa in the morning of the 17th.
- March 19 News from Dhillon. His fellows are putting up a brave show; they attack[ed] a hill 3 times and eventually captured it and killed about 300 enemy; his casualties have been pretty heavy too.
- March 20 Khango unit has been ordered to prepare themselves to go into attack. I have to take over the defence of the whole of Popa and Kyauk Padaung area. Moved Banta Singh's Bn to cover Kyauk Padaung-Meiktilla road. No definite information about the enemy in Meiktilla area. I have ordered BS to send a patrol in that area to find out. Shah Nawaz has told the Japanese that we must be given a share in the offensive. I quite agree with him, but do not think will get a chance to.
- March 23 Last night went to Kyauk Padaung and in the morning went round BS's position—a hot and tiring business. Japanese patrol returned from Meiktilla area. After receipt of the information I am convinced that we should attack Meiktilla from our side. Of course we must have more detailed information about the general situation before we can undertake such an attack and must coordinate it with the Japanese attacks.
- March 26 Our milk goat died in the morning, so from now on we shall be on milk-less Coffee. Conference with the Khanjo Comd. about the combing operations and sent out patrols to recce the area in which I shall be operating. I do not like the task that has been allotted to Dhillon. Both our resource in tpt. We shall never be able

- to keep him supplied with water. I suggested to Shah Nawaz that he should be withdrawn from that area.
- March 27 I have been reading Stonewall Jackson. There is little doubt that he was a great General. Still he is so little heard of. I put up my plan to Shah Nawaz and he has approved of it. It is a simple one. I am going to put a Bn astride and in the high ground in the right of Sektien-Welaung Road and basing one Bn NW of Perktien. Carry out harassing attacks against enemy in Pynbin from Tada area.
- March 28 The Nippon Haidan which was expected to be in Sektein area has not arrived so far. So my plan of action is, I think, a very sound one. Elaborated it and issued orders. One to be due to move tonight. Shaw Nawaz sent for me at about 1930 hrs. He is very worried, because he has no reserve at hand in case the enemy counter-attacks along Pynbin-Ovin Road. I do not think it is likely. I consider an enemy counter-strike from Welaung side more likely, still SN persisted, so I had to alter my plans. I will put only one Coy to defend Welaung-Sektein Road and leave the remainder of the Bn Popaya area until the arrival of Dhillon's Comd when I may expect them to join me.

11. Legyi Operation 1-4 April 1945

Report by Captain P.K. Sahgal

Documents from INA Exhibits, Exhibit No. 'AAA', NAI.

Exhibit 'AAA'

Secret

6 April 1945

Most secret

No. 747 Unit, AHF

6 April 1945

No. 599 Unit AHF

Sub: Legyi Operations

In continuation of this office report forwarded under No. S/25/17/G, dated 2 April 1945, a report called for under your No. 2/XX/G, dated 6 April 1945, is forwarded herewith.

1 April 1945: A Nippon platoon stationed on hill feature 1395 astride Seiktin-Welaung road sent the following report about the enemy movements:

(i) At 1130 hrs 10 enemy tanks with 50 men were seen going towards Legyi from Welaung.

(ii) At 1530 hrs 18 lorries, 2 tanks, 1 armoured car, 2 motorcycles and 2 guns were seen moving towards Legyi from Welaung. Out of these 11 lorries were loaded with stores and 7 lorries carried approximately 80 men.

(iii) At 1600 hrs 1 tank was seen moving towards Legyi.

All the tanks in the above-mentioned enemy force were medium tanks. This force was seen passing the road Nullah junction Pt 1062 south of Seiktin map sheet 84 0/8 but no enemy was observed in the vicinity of Legyi and it was not clear whether the enemy was contemplating an attack on Legyi or whether he intended to go through Seiktin towards Kabyu.

A fighting patrol under SO Abdullah Khan of 546 unit was sent to Seiktin area. This patrol contacted one small enemy fighting patrol in the vicinity of Seiktin, but

no enemy formation was seen in Seiktin area. The patrol returned to the base at 0400 hrs on 2 April 1945.

One Recce patrol under SO Ram Dutta of 546 unit was sent to Tada to bring back information about the enemy in that area. This patrol did not return by day-break on 2 April 1945.

2/Lt Gharib Singh, Mortar Platoon Comdr of 546 unit deserted during the night. There was no enemy activity during the night.

2 April 1945:

- 1130 hrs (i) An enemy force between 500 to 1000 strong was seen in the vicinity of the cross road on the 25 milestone, Welaung-Seiktin road. There were a few lorries and a few motorcycles with this force.
- (ii) Another enemy force about 1000 strong and some tanks were seen in the vicinity of the Nullah North East of the crossroad at the 25 milestone Welaung-Seiktin road. This enemy force was seen digging in.
- 1310 hrs 13 enemy planes heavily bombed and machine-gunned Legyi for about 40 minutes. The whole of the village was set on fire and some damage was done to our positions on the left of the road, but our casualties were only slight. As soon as the air raid was over, enemy artillery opened harassing fire on our positions. This harassing fire was continued until 2105 hrs.
- 1600 hrs (iii) 3 enemy tanks were seen passing Thanbin village and 3 lorries, 1 gun and 40 men were seen under the palm trees in the vicinity of Thanbin. It appeared that the enemy was carrying out a recce of that area.
- 1700 hrs (iv) An enemy force in 5 lorries supported by tanks moved towards Seiktin and Legyi. In front of this force were some dismounted men who advanced forward pretending to be gathering something from the fields on either side of the road. When the enemy came within range, 1 section of MG opened fire. A number of the enemy were seen falling down and the remainder disappeared into the Nullah. The tanks and the lorries fled towards the crossroad on the 25 milestone Welaung road. One of our MGs was fired personally by Lt Yasin Khan the MG Coy Comdr. During the day no other enemy force approached Legyi. The enemy force that had moved towards Thanbin, also returned towards the crossroad.
- 2200 hrs (v) Lt Yasin Khan, Lt Mohd Sadiq, SO Abdul Hakin with some NCOs and men deserted.
- 2330 hrs (vi) SO Ram Dutta and his men who had gone on patrol duty to Tada area, the previous day, returned and reported that there was no enemy in Tada area and that Seiktin was also clear of the enemy.
- (vii) It was quite apparent that the enemy, during the day, had been reconnoitring and feeling our positions and that a full scale attack was imminent the next day, therefore I Coy from 548 unit under the Command of 2/Lt Kanwal Singh was brought up and put into position on the right flank.

3 April 1945: A great deal of alarm and despondency was observed among the Officers and men, owing to the desertion of Lt Yasin Khan and his companions on the previous night. Every body appeared to feel that the enemy had full information about our dispositions and as he was of such overwhelming strength, our case was hopeless. Lt Khazin Shah was also in a very bad state of nerve. I realised that he was not fit

to command the battalion any more, therefore, I sent him to keep an eye on A Coy Comdr whose movements were also suspicious and I personally took over the direction of the battle.

1130 hrs

(i) An enemy force, composed as under, was seen moving towards Tasbaukkon and his forward elements had already reached Thabin:

Medium tanks	...	13
Light tanks	...	30
Lorries	...	60
Guns, more than	...	10
Infantry	...	1000

(ii) This report was given by a Nippon OP which was in Legyi village area and it was confirmed by Comdr C Coy which was the left forward Coy of 546 unit. Later a part of this force was seen to be returning towards Seiktin and a large number of troops were seen debussing in the Nullah, North-East of Seiktin. A group of officers was observed carrying out recce and issuing orders under a palm-grove on the right of the road, about 2 miles in front of our position.

1200 hrs

(iii) Enemy artillery opened harassing fire on our positions.

1300 hrs

(iv) An enemy force consisting as under, was seen advancing along the road towards Legyi:

Medium tanks	...	11
Armoured cars	...	30
Lorries	...	60

This force halted about 1000 yards in front of our position and deployed.

1330 hrs

(v) A small force of the enemy went round our right flank and attacked our 'B' Echelon. This was a complete surprise and our men were caught cooking food or carrying ammunition, rations and water. The casualties on our side were very heavy. The enemy occupied that area and was joined by some enemy tanks which moved round our left flank. No information of the action was received in the H.Qrs until 1900 hrs.

1345 hrs

(vi) Heavy shelling on the right flank followed by an enemy attack by approximately one Battalion on the position occupied by one Coy of 548 unit. The place was gallantly defended by the Coy and the enemy was pushed back after suffering heavy casualties.

1400 hrs

(vii) Approximately 1 platoon of the enemy opened light automatic and mortar fire to our position from the high ground astride the road in our rear. This fire was returned and the enemy was dislocated from his position.

By this time enemy artillery and mortars were shelling us from the front and our right rear and left rear.

1600 hrs

(viii) Enemy artillery opened rapid fire on the right flank and continued the fire for approximately 10 minutes. This was followed by an attack by approx. one enemy Bn on 1 Coy of 548 unit. This Coy once again defended their position most gallantly and drove the enemy back, who, after suffering heavy casualties, fled in disorder. During the whole of this operation 2/Lt Kanwal Singh, the Coy Comdr and Havl Abdul Manan, one of the Platoon Comdrs stood on top of 2 hills and directed the fire of their units. These two brave officers did not stir from their command posts,

even when the enemy small arms fire was concentrated on them. It was due mainly to the gallant action of these 2 officers that the enemy was beaten off. By now it was apparent that the enemy was determined to make a breakthrough on my right flank. Therefore I decided to withdraw back into reserve C Coy of 546 Unit which was on the left of the road. Accordingly, I approached the Nippon Coy Comdr in that area and requested him to assume the responsibility of stopping an enemy penetration from that side and linking up with B Coy of 546 unit which was covering our left flank. This plan was agreed to and I ordered C Coy Comdr to withdraw his Coy back and put one platoon astride the road south of Legyi and the remainder of the Coy to be in reserve, prepared to counter-attack in any direction where the enemy may penetrate.

1900 hrs (ix) Report received about the enemy attack on our 'B' Echelon and the enemy occupation of that area. Orders issued for C Coy to attack and drive enemy away from that area. When these orders were issued, Lt Khazin Shah reported to me that there was only one platoon of C Coy available. The other two platoons under their comdrs, SSO Barfi Ram and Hav Baldev Singh came running towards them and after a short conversation with the two platoon comdrs, these 2 platoons and one mortar platoon went over to the enemy. This matter was reported to Lt Khazin Shah by a Tamil soldier, who managed to get back.

I issued orders to withdraw one platoon from A Coy and 2 sections from 2/Lt Kanwal Singh's Coy; this together with one platoon of C Coy under command of Lt Ganga Singh was to immediately attack the enemy in our 'B' Echelon area. I ordered 2/Lt Bhopal Singh, Regtl Intelligence Officer to accompany Lt Ganga Singh. Lt Khazin Shah was in the meantime to look after A Coy in the absence of Lt Ganga Singh. The attack was supported by 2/Lt Kanwal Singh's Coy. Two sections of 2/Lt Kanwal Singh's Coy did not arrive in time but the attack was launched by two platoons at 2100 hrs and was completely successful. The enemy after suffering heavy casualties fled in disorder.

1930 hrs (x) Heavy artillery fire on our right flank and rear and 2/Lt Kanwal Singh's Coy was attacked for the third time and once again the attack was beaten off.

2100 hrs (xi) An enemy force about two Coys strong accompanied by tanks moved towards the left flank of B Coy of 546 unit which was covering our left flank but this force was pushed back after a short skirmish.

3rd April 2130 hrs (xii) Report received that the enemy had been completely cleared from 'B' Echelon area and that the attacking gp under Lt Ganga Singh had occupied a position on the hills astride the road south of Legyi.

(xiii) Report received that Lt Khazin Shah with whole of his Bn HQ and one platoon of A Coy under SO Abdullah Khan had deserted. This matter was intimated to 531 unit and it was requested that reinforcement should be dispatched immediately. Major A.B. Singh from 531 unit informed me that one Coy of 548 unit under Major B.S. Negi was moving to reinforce Legyi.

(xiv) Report received that Lt Ganga Singh, 2/Lt Aya Singh and 2/Lt Narindar Singh had deserted. Ordered 2/Lt Bhopal Singh to take command of A Coy. By now whole of the Bn HQ and all the five Coy Comdrs with about 200 men, including the whole of the Mortar Coy with their mortars, had gone over to the enemy side. The remainder of 546 unit could not be trusted. One Coy of 548 unit had fought most gallantly the whole day and by now was completely exhausted. The men had

lived on biscuits and on bottle of water for 24 hours and were completely overcome by thirst and fatigue and were not in a position to stand another onslaught by the enemy.

- 4 April 1945: (i) 1 Coy of 548 unit with 1 section of MGs under Major B.S. Negi arrived.
0300 hrs They had left the road well clear off Legyi and approached our position from the east. They were heavily fired on by the enemy, but luckily suffered no casualties.
- (a) Our position was completely surrounded and the enemy was overwhelmingly superior in numbers and armaments.
- (b) The morale of 546 unit was very low and it was most likely that some of them may possibly go over to the enemy.
- (c) All the Officers and men were completely exhausted and unable to face another attack by the enemy.
- Therefore I sent for the Nippon Coy Comdr to consult him about our future action. He reported to me that another Bn of his Regiment was moving up to occupy that position.
- I decided to withdraw my tps on the arrival of Nippon Bn and I rang up 531 unit to ask the Comdr 531 unit for orders, but as the Comdr 531 unit was not available I decided to act on my own initiative.
- (ii) I issued orders that on arrival of the Nippon Bn the INA unit in Legyi area were to fight their way eastwards. Soon after I issued these orders, I discovered that the enemy had left the road and that the road between Legyi and Popa was clear. Therefore, I altered the original orders and issued instructions to withdraw along the road.
- 0430 hrs (iii) I received the information that the Nippon Bn had arrived.
- 0500 hrs (iv) Withdrawal was commenced and carried out without any casualties.

Special Notes Regarding Desertions

The three most salient features re. these desertions from No. 546 units are:

- (a) All the Officers who have deserted, had hereto worked most sincerely and considered very outstanding. Specially noteworthy among them were, Lt Khazin Shah, Lt Yasin Khan, Lt Ganga Singh, 2/Lt Chain Singh, 2/Lt Balwant Singh, S.L. Barfi Ram, SO Abdullah Khan, SO Abdul Hakim, and Hav Baldev Singh. On many occasions these officers had proved their devotion to the cause and fought bravely and I had no occasion whatsoever to doubt their loyalty.
- (b) None of the Officers who have gone over, ever showed cowardice and right up to the time they went over they fought most courageously.

On the 2nd when the enemy approached our positions, Lt Yasin Khan personally manned a MG and opened fire on the enemy and throughout the action, under heavy enemy artillery fire, he was going from post to post keeping up the morale of the men. On the night of the 29th when my party had been ambushed, 2/Lt Balwant Singh, SO Barfi Ram and Hav Baldev Singh showed complete disregard for their personal safety and fought most bravely.

SO Abdullah Khan had already distinguished himself for which he had been recommended for the award of Veer-e-Hind and he and SO Abdul Hakim were always singled out for the most difficult patrols.

On the night of 3rd Lt Ganga Singh with about 45 men attacked and drove away a much superior force of the enemy.

- (c) Not a single person ever showed cowardice in the face of the enemy. Our positions were attacked by very superior numbers, but not a single person ever left his post. We, with small units, attacked the enemy much superior in numbers and in armaments, but not a single soldier ever wavered. There were no desertions from a unit as long as the unit was in contact with the enemy, on the contrary, when in contact with the enemy, the units fought with unrivalled determination and utmost bravery. Lt Inuzuka, the Hikari Kikan Liaison Officer, was so impressed by the brave fight put up by these officers and men that he told me that that was the biggest battle ever fought by the INA against such overwhelming numbers of the enemy. He felt that the manner in which the unit had fought surpassed even the Nippon tps. He conveyed these expressions to HQ 531 unit with a request to pass them to HE Netaji Subhas Chandra Bose, the Supreme Commander, Azad Hind Fauj.

After a very careful study of these points and the circumstances under which the unit fought, I am of the opinion that these desertions were mainly due to the following causes:

- (i) Turkey's alignment alongside the anti-Axis powers has had a very adverse effect on certain Muslim Officers. In spite of our efforts to explain to them the circumstances under which Turkey has been forced to join the War, the officers feel that by fighting against powers that are allied with the Turks, they are being disloyal to Islam.
- (ii) In the minds of a number of officers and men there is a lack of faith in our final victory. They are in their own minds convinced that the Anglo-Americans are going to win the war and it is futile to carry on the struggle.
- (iii) In this particular operation, after the desertion of Lt Yasin Khan and his companions, there was a general feeling among the Officers and men of the unit that it was useless to continue fighting against the enemy, so superior in numbers and armaments and helped by the traitors, who had gone over to his side. Majority of these Officers, under normal circumstances, would never have done anything treacherous, but finding themselves so overwhelmed, they did not have the moral strength to continue the struggle and decided to save themselves by going over to the enemy.

Before I conclude this report, I feel it my duty to pay a tribute to the steadfastness, devotion to duty and bravery of those of the Officers and men (although some of them turned traitors afterwards), who fought most courageously and desperately against heavy odds and checked the enemy from penetrating our positions. Thinned in numbers, exhausted by hunger and thirst, weary both in mind and body, these brave soldiers of the AHF tenaciously hung on to their posts until the arrival of the Nippon force. There were many cases of individuals whose actions deserve merit, these are being investigated and a fuller report will be submitted about them when these investigations have been completed.

P.K. Sahgal
Lt Col,
Commander No. 747 Unit AHF

After writing this report, another important fact has come to light. In majority of the cases, when Officers were going over to the enemy, they ordered the NCOs and men under their commands to move with them under the pretext of either changing their dispositions or of attacking the enemy. Enquiries are being made into such cases and attempts are being made to separate the

names of those persons who have gone to the enemy of their own accord and those who have been taken away under false pretences.

P.K. Sahgal
Lt Col

12. G.S. Dhillon to Colonel Shah Nawaz Khan, 2 April 1945

Documents from INA Exhibits, Exhibit No. 'TTT', NAI.

No. D.5
2 April 1945

To
Colonel Shah Nawaz Khan

From
Lieut Colonel G.S. Dhillon

Captain Muhammad Hussain's absence has not affected the spirit or morale of the troops at all. We are prepared to continue fighting in the front line. No need of rest unless objective is achieved. We will sacrifice our lives to maintain the honour of Azad Hind Fauj. Water or no water rations or no rations will not affect our fighting capacity. Captain Chander Bhan, Lieut Khan Mohammad and Lieut Kartar Singh along with my staff join me in assuring you that we will fight up to the last.

Jai Hind.

G.S. Dhillon
Lieut Colonel,
Commander, 450 Unit, AHF

13. 'Go Down as Heroes'

Special Order of the Day by Subhas Chandra Bose on the eve of his departure from Myanmar, Burma, on 24 April 1945

GOI, Home Dept, INA Papers, File No. 16/INA/7510.

Brave Men of Azad Hind Fauj:

It is with a very heavy heart that I am leaving Burma, the scene of the many heroic battles that you have fought since February 1944 and are still fighting. In Imphal and Burma we have suffered a reverse in the first round in our Fight for Independence. But it is only the first round. We have many more rounds to fight. I am a born optimist and I shall not admit defeat under any circumstances. Your brave deeds in the battle against the enemy on the plains of Imphal, the hills and jungles of Arakan and the oil-field area and other localities in Burma will live in the history of our struggle for Independence for all time.

Comrades! At this critical hour, I have only one word of command to give you, and that is that if you have to go down temporarily, then go down fighting with the National Tricolour held aloft; go down as heroes; go down upholding the highest code of honour and discipline. The future generations of Indians, who will be born not as slaves but as free men, because of your colossal sacrifice, will bless your names and proudly proclaim to the world that you, their forbearers, fought and suffered reverses in the battle in Manipur, Assam and Burma, but through temporary failure you paved the way to ultimate success and glory.

My unshakable faith in India's liberation remains unaltered. I am leaving in your safe hands our National Tricolour, our national honour, and the best traditions of Indian warriors. I have no doubt whatsoever that you, the vanguard of India's Army of Liberation, will sacrifice everything, even life itself, to uphold India's national honour, so that your comrades who will continue the fight elsewhere may before them your shining example to inspire them at all times.

If I had my own way, I would have preferred to stay with you in adversity and share with you the sorrow of temporary defeat. But on the advice of my Ministers and high ranking officers, I have to leave Burma in order to continue the struggle for emancipation. Knowing my countrymen in East Asia and inside India, I can assure you that they will continue the fight under all circumstances and that all your suffering and sacrifice will not be in vain. So far as I am concerned, I shall steadfastly adhere to the pledge that I took on the 21st October, 1943, to do all in my power to serve the interests of thirty eight crores of my countrymen and fight for their liberation. I appeal to you, in conclusion, to cherish the same optimism as myself and to believe like myself, that the darkest hour always precedes the dawn. India shall be free and before long.

May God bless you!
Inquilab Zindabad
Azad Hind Zindabad
Jai Hind

14. Extracts from the Diary of Capt. Shah Nawaz Khan (1/14 Punjab Regt) for the Year 1945 (15 January 1945 to 17 May 1945)

- | | |
|-------------|---|
| 15 January | Stayed in Mandalay. Maj. Dhillon arrived and rendered report re. situation at Mingyan |
| 19 February | Col. Aziz has fallen ill. I have to take over No. 2 Div. |
| 21 February | Leaving for front tonight. |
| | Left for Popa at midnight. Netaji came to see me off and gave me all instructions. |
| 22 February | Reached Kyauk Padaung at 0500 hrs. Met Maj. Dhillon and Jagir in village Indo. They had managed to collect approx. 500 stragglers. It has been a bad show. One Bn surrendered—Hari Ram's—and others bolted. Dhillon came with me to Popa. At 0700 hrs met Riaz and Sahgal, met Comdr Khanju Butai. |
| 23 February | Khanju Butai has been rushed to Popa. All No. 2 Regt are going in first. Recd Saku Butai order to push enemy across Irrawady. Went and recced defensive positions. Lectured to all officers. Called on Khanju Butai Comd and settled up various matters. Left for Meiktella at 2300 hrs. Issued operation orders to Sehgal and Dhillon. |
| 25 February | Netaji arrived early in the morning. Went and saw him at 1200 hrs and explained the Popa situation to him. He has made up his mind to go to Kyauk Padaung and Popa. I was dead against it as being too dangerous. 2000 hrs Maj. Takashi brought information the British had occupied Pyin Bin and were advancing on Taung Tha. Meiktila bridge bombed by 60 B 24's. |
| 26 February | At 0800 hrs Maj. Takashi reported that a Mech. Bde of British had reached Mahlaing only 10 miles from Meiktella and that there were no troops between there and Meiktella. We decided to make a dash for it at 0900 hrs and reached Indo at 0045. Spent day at Indo. |

- 1 March Reached Pyinmana at 0500 hrs. Met Netaji at 1100 hrs. Discussed future plans and then rushed on to Rangoon to take command of No. 2 Div. No. 1 was reorganised and given a fighting role. Unarmed men and patients are being sent to the rear.
- 3 March Reached Rangoon at 0300 hrs. Met General Kiani and discussed various details. Decided that I should take over command of No. 2 Div. Heard about desertion of Riaz, Madan, Sarwar and Dey. A very sad affair.
- 12 March 0200 hrs reached Yenangun. Met General Yamamoto. Left Yenangun at 0900 hrs and reached Popa at 0800 hrs.
- 13 March Talked to all officers of Div. HQ. Reorganised Div. HQ No. 4 are out and are expected to attack Taungzin tonight. At 0200 hrs visited HQ No. 4. Met Maj. Jagir. S. there. He had no information about them.
- 14 March 1000 hrs Col Sahgal came and reported that the enemy on Pyin Bin side is on the run and that Pyin Bin has been occupied by the Japanese 1730 hrs Staff Officers, Maj. Marata and chief MO Kanletsu arrived to discuss various details. 2300 hrs Col Sahgal left with two Coys to attack Pyin Bin.
- 15 March Col Sahgal with his force attacked the enemy in Pyin Bin on night 15/16 midnight. No enemy.
- 16 March Khan Mohamad attacked Sadi and pt 1186. He had fierce hand to hand fighting for 2 hrs. Inflicted at least 200 casualties to the enemy. Fighting lasted from 0300 hrs to 0600 hrs. Men fought gloriously shouting Netaji-Ki-Jai. Our casualties were 1 killed and 16 wounded.
- 17 March Today at 1100 hrs 1st Bn under Lt Mohammad Hussain was attacked by tanks. We suffered 50 killed. Tonight Khan Mohammad and Japanese again attacked Hill 1186. I with Jagir S. made an attempt to get to 4 Regt HQ, but could not do so owing to rd being under enemy fire. Capt. Sahgal returned at 0400 hrs.
- 18 March Inspected 2 Regt defences at Temple Hill.
- 19 March Went and saw Maj. Dhillon in his HQ at Khabok. Met two Bn Comdrs Mohammad Hussain and Khan Mohammad. Troops were in good spirits, especially after they had been in two attacks. Met Maj. Watanbe and discussed defence plan.
- 20 March Received information that Khanju are going out to attack in cooperation with Kantetsu. We have to take over complete defence of Kyauk Padaung–Meiktella Rd, K.P.–Nyaunga Rd and Popa Hill. No. 2/2 went out tonight. Maj. Mehr Das returned from Yenangun.
- 22 March Went out at 0800 hrs and spent whole day inspecting defences of No. 2 Regt. Jagir and Mehr Das went to see No. 4 Regt at 2100 hrs.
- 25 March Today the orders for attack on Pyin Bin by Khanju are changed. Now Khanju and INA main force will attack together. Sent warning orders to Gurbux to prepare for it. Recce patrol went inside Meiktella and brought back information re. enemy disposition.
- 26 March Had final discussion with Comdr Khanju and decided on the role to be played by the INA in the coming attack. Recd letters from Netaji and Mahboob, warning me re. some undesirable officers. Recce patrols have gone out in direction of Pyin Bin.
- 27 March Issued operation orders for attack on Pyin Bin. Recd situation reports from Hussain and Gurbux. Selection of candidates for OTS has started.

- 28 March Maj. Mehr Das gone out to recce area for Div. HQ Operation orders from Nos. 2 and 4 have been recd.
- 29 March Tps are moving out. Div. HQ going to the area of operations. Left Popa at 2200 hrs and went forward to see Tps moving their concentration areas. Halted at Legyi and heard the news that Col Sahgal, Inzuka and some other Officers were ambushed. Decided to continue advance. Sahgal and other missing Officers also turned up.
- 30 March They had a most miraculous escape. We recovered our cars. I returned to Div. HQ at 0600 hrs. Spent the day in Bivomag. Our Coy at Kabyo has been attacked. Very extensive air activity. At 2300 hrs left for Legyi. Tonight was zero day. At 2100 hrs guns were attacked by air and 2 destroyed. We could not make any real demonstration. Captured 1 Truck $\frac{3}{4}$ ton.
- 31 March Returned to Div. HQ at 0600 hrs. Popa heavily bombed and m. gunned. Supplies hit. Bagri with Coy from Kabyu returned. Japanese were full of praise for him. Yesterday at Kabyu he saved the Japanese Coy, which was encircled. Today I ordered him to send one Coy to Gwedekoa. Except for aeroplanes a quiet day. At 2200 hrs went and saw 2 Bn on Kyauk Padaung–Meiktella road.
- 1 April Returned at 0700 hrs. Spent the day in Camp. Recd report from No. 4 that they carried out the attack on Pyin Bin and surrounding rds, but the Japanese put off their attack due to guns not turning up.
- 2 April This day started with unpleasant shocks. Sig. Officer No. 2 Regt deserted. Capt. Mohammad Hussain and his adjutant deserted from No. 4 Regt. This afternoon at about 1630 hrs enemy shelled and m. gunned our positions at Legyi. 6 wounded. Went and met Col Sahgal at 0200 hrs. Learnt that his trusted officers were deserting. Lt Yaseen, Lt Sadeed, Lt Gharib Singh deserted. Returned to Popa at 0500 hrs. Sent up 1 Coy and MMGs to support him.
- 3 April Col Sahgal reported that the enemy 2 Bns strong with 12 tanks was advancing on them. Enemy's strength increased to 50 tanks, 10 guns and 1000 men. Attacked our position furiously throughout the day. Some enemy came in rear of us. He was attacked and thrown back. At 2200 hrs position satisfactory. Went forward to meet Comdr. Sent 1 Coy in support. Enemy shelling positions, could not meet Comdr till 0400 hrs. Then he was falling back.
- 4 April He reported that most of the men, incl. Bn Comdr Jharjeen Shah, have deserted. Only approx., one Coy is left of that Bn. Men have taken away their arms with them. Our men fought bravely, but soon after the attack they started walking over. It appears they have had enough. Discussed details with Col Sahgal for future course. We must push on again. Met Kuwabora and told him my point of view, re. Two Regt withdrawal.
- 5 April 1. Col Dhillon arrived.
2. Recd Kantestu orders to reorganise and prepare for offensive role.
3. Discussed plans with Dhillon and Saghal and allotted them respective role, that is No. 4 to take over defences K. Padaung and Popa. Asked Kuwabora to inform Kantetsu of my intention to go out again.
- 7 April Our forward Coy in Kyautaga area is under gun-fire. Japanese are still holding Legyi. Br are going rnd their flanks. Issued order to Gurbux and Saghal re. taking over of defences.

- 8 April Kuwabora came and told me that we had to go back in the area of Magwe–Minbu–Taungdwingly and Allenmayoo. I heard the Burmese army has revolted against the Japanese. Col Pulsikar arrived from Prome.
- 10 April Issued orders for the move of Regts. Today at 1400 hrs our area of Hospital was heavily bombed. 81 killed 30 wounded. Sick men and other Div. ancillary unit have moved out to their new areas. Enemy gun-fire is sounding very near.
- 12 April Spent the day at Popa. Heaviest shelling on K.P. Byangue Rd. Enemy encircled our forward Coy. Also came astride rd K.P. Poopa. Left Popa at 0200 hrs. On the way fired at by enemy patrols. All Tps left on the way. Arrived next day at Ingodwaki. Loss of control on the way. 3 Bn still at Popa.
- 13 April 0800 hrs arrived at Indowaki. Spent the day there and left at 2100 hrs. Col Sahgal's main force has arrived. Bagri is also through. Only Kanwal Singh's Coy is left behind and encircled by the enemy at Popa.
- 14 April At 0200 hrs left Kyanttan and reached Eino at 0800 hrs, spent the day in Pungi Chong and left at 2200 hrs. Going is very heavy. Trps are very tired. Br forces seem to be converging from all sides. Offensive toward oil field Yenangyaung seems to be well on the way. Wonder if we will get through.
- 18 April 0400 hrs reached Magwe. Met Col Hussain and he explained the present situation to me. Spent the day at Magwe. The situation is developing fast. Br have occupied Taungdwingy. Japanese and INA counter attacking. 5 Tanks attacked our position astride Magwe–Taungdwingy Rd. They withdrew after 2 hrs fight. Telegram recd from Sahgal that he is making for Taungdwingy. Rations short. Some tps moved across the river to Minbu. Paratroops dropped near an outpost. Man S moved out with his Bn to reinforce our posts.
- 19 April More tps have arrived from Popa. A.B. and Jagir arrived. No news of Ram Sarup. At 1500 hrs Br. Tanks and carriers broke into our position at Magwe. No organised opposition could be put up. Magwe was occupied by them. Travelled from 1500 hrs to early next morning. Crossed the river at Kanni and made westwards with few men. Hussain, Gupta, Mehr Das, all missing. No news of Tich. at Mimbu or Mausing in his position.
- 28 April Stayed at Minde. Ram Sarup and D.C. Negi 3/1 have gone ahead. Recd report about our men at Kama. Recd Maj. Gupta [who] has arrived there.
- 1 May Reached a village 5 miles north of Prome. Spent the day there. Learnt that all our parties are making for Moulmein. Japs say Toungoo is still in their hands and that route to Thailand is still open. We are making an effort to get out of the encirclement. Left all sick and wounded personnel (with) Maj. Ranganadan in Kakbusti and marched off to Prome.
- 4 May Spent the day in a small hut. Rained all day. The Japanese have left us completely in the lurch. They are running themselves and are not bothering about us. Tonight we made very little progress.
- 5 May 0700 hrs. Reached a village 2 miles south of Okpo. The Japanese are going East from Okpo. We are going to Leptedau. They have no further use of the INA. All Liaison Officers, etc., were withdrawn at Prome. The discipline and morale of tps have deteriorated; no control, Officers are leaving the men.
- 7 May 0800 hrs. After traveling all night reached a village 10 miles north of Taikchi. Discipline and morale of tps is completely gone. One soldier fired at Col Dhillon

- but luckily missed. He was put away. Left the village at 2000 hrs and reached Taikchi at midnight and found the rd to Rangoon blocked.
- 12 May 0700 hrs. Started and reached Wata at 1000 hrs where we stayed for the day. Here, found that Pegu was occupied by the Br 10 days back and that Wata is under their control. Now there seems to be practically no chance of our getting through. Sent a patrol to next village to get more information. Decided to spend the night at Wata.
- 13 May Full information re. Br forces recd. Appears to me that we are completely cut off. No way to escape. At 1900 hrs left the village and marched to a jungle where I gave full facts to the men. Majority decided to become P of W. Yet I am not prepared to surrender, and would like a little more lingering about in jungle of Burma.
- 14 May P of W Party marched off at 1000 hrs with Maj. Jagir and A.B. in charge. My party with Col Dhillon, Maj. Mehr Das and 80 men stayed behind to see what the fate has in store for us. At 1600 hrs started from a village 7 miles west of Pegu and reached village Loga approx. 16 miles west of Pegu. There are also many Japanese who are trapped in this forest. All the inhabitants are very pro-British. Our strength now is only 49.
- 17 May At about midnight 16/17 as entering the village Sitpinzeix we were heavily fired upon by men of 2/1st Punjab Regt from a range of 15 yards. Civilian Guide was killed. Spent the night in Jungle. 0800 hrs started but found all routes blocked. At 1800 hrs captured by 2/1st and taken to Pegu Div. HQ, Corp. HQ and jail.

SECTION II: SPEECHES AND BROADCASTS BY SUBHAS CHANDRA BOSE

15. 'Freedom is Bound to Come if Only We Fight on'

Speech at Bangkok, 21 May 1945.

Ganapati Rai, (ed.) *Famous Speeches and Letters of Subhas Bose*, Lion Press, Lahore.

Sisters and Brothers,

After I spoke to you in January last, the war situation has undergone considerable change. In Europe, German resistance has collapsed completely. Here, in Burma, we have lost the first round in our fight for freedom. Nevertheless, there is no reason why we should lose heart. If our enemies did not lose heart when they were expelled from Europe and East Asia, if our enemies, despite such staggering defeat, would continue the war and even launch a counter offensive, we should exhibit at least as much strength and tenacity as our enemies have. You know that I have always said that we shall deserve to be free, only if we are more courageous, more tenacious and more far-sighted than our enemies. If our enemies, after being expelled from Burma, could stage a come-back, there is no reason why we should not return to Burma again. The main point is whether our morale is broken down and whether we consider ourselves to be beaten. The Supreme Commander of the Allied Forces in the last European War, Marshal Foch, once made a historic remark—'That Army is beaten which considers itself to be beaten'. Among those who have come with me from Burma there is not one man or woman who considers himself or herself to be beaten. No doubt we have lost one round in India's war of liberation, but many more rounds are to follow, and the last round will decide the final result of this war. War is in many ways like a match between two wrestlers. When the wrestlers are more or less equal in strength, victory will go to him who can hold out longer. If we have more spiritual strength than our enemies, then only

shall we deserve to win freedom. Unfortunately, there are among us a few men who get easily upset and even panicky over slight setbacks. This is the psychological effect of slavery. The Indian people will have to overcome this weakness and to carry on the fight under all circumstances if they are to win in the long run.

There is another thing I should like to tell you in this connection. In a modern war and especially in a war of the present magnitude, many things may happen which are least expected or anticipated. A famous military strategist and one of the founders of the science of the modern warfare, the German General and writer, Clausewitz, once said, 'War has many surprises'. I shall give you a few instances to illustrate the truth of this remark. In the Balkan War of 1912 four powers, Rumania, Bulgaria, Greece and Serbia made a combined attack on Turkey. Turkey was defeated in one battle after another, until the Balkan Powers almost reached the gates of Constantinople (Istanbul). Everything seemed to be lost for the Turks and there was not even a glimmer of hope. All of a sudden, disagreement and discord broke out among the four Balkan Powers which quickly developed a war among themselves. Constantinople was saved. The Turkish forces launched a counter-offensive and they managed to recover most of the lost territories. We see, therefore, that if Turkey had surrendered when all hopes seem to have gone, she would not have been able to turn the tide of the war as she actually did.

Take another example from the recent history of Turkey. In the last World War, Turkey fought alongside of Germany and Austria-Hungary. But she was ultimately beaten. Constantinople, the proud capital of Ottoman Empire, was occupied by the Allied forces and the Sultan who was also the Caliph, was virtually made a prisoner. Seeing that the war was completely lost, the Sultan submitted to all humiliating treatment imposed by the Allied forces and asked the Turks to cease all resistance. In that dark hour, there was, however, a man who would not accept defeat. Mustapha Kemal Pasha, who was then only one of the able Turkish officers, left Constantinople and crossed over to Anatolia. He got together a band of faithful officers and with their help organised a new Army from among the Anatolian Turks. That Army proved to be invincible and the Turks, by their valour, tenacity and indomitable faith, recovered the freedom and victory that they had lost when they had such powerful allies as Germany and Austria-Hungary. It is indeed one of the miracles of history that Turkey was badly beaten when she put up a fighting side by side with powerful allies and that when she put up a fight all alone after her defeat, she came out victorious in the long run. The secret of this miracle was that Kemal Pasha and his fellow-fighters did not accept defeat at a time when all the other Turks headed by the Sultan himself did so.

I shall now give another instance from another part of the world, namely, Ireland. During the last World War, when Ireland's enemy, Britain, was engaged in life and death struggle for her own existence, the Irish revolutionaries made a bid for freedom. True to their motto that 'Britain's difficulty is Ireland's opportunity' they rose in revolt during the Easter week of 1916. The Easter rebellion was, however, crushed within a week. At that time, there were Irish people, who called their own revolutionaries 'madmen'. But though the Easter rebellion was crushed so easily, the forces of revolution continued to work among the Irish people, and ultimately broke out in a more powerful revolution in 1919—that is, one year after the end of the war. It is a strange phenomenon in history that while the British could easily crush the Irish rebellion of 1916 at a time when they were engaged in a life and death struggle, they had to acknowledge defeat at the hands of the same Irish revolutionaries after they (the British) emerged victorious from the World War. If the Irish revolutionaries had accepted defeat in 1916, the revolution of 1919 would not have taken place and Ireland would not have been what she is today.

Similar phenomenon took place in India. During the World War I the Indian revolutionaries tried to organise a rebellion in order to overthrow the British power in India. That attempt was

easily crushed. But the spirit of the Indian people did not acknowledge defeat. After Britain's victory in the last war and after the Jallianwalla Bagh massacre in 1919, a political awakening of the Indian people under the leadership of Mahatma Gandhi took place on such a grand scale that the British have not been able to suppress it up to now.

The lesson to be derived from all these events is that a nation which loses its morale and its faith in ultimate victory can never hope to be victorious. On the other hand, if in spite of temporary setbacks and defeat, we continue the struggle with undiminished faith in our final success, then no power on earth can deprive us of our well-deserved victory. Since we are fighting for justice and truth and for the birthright of liberty, and since we are prepared to pay the full price of that liberty, freedom is bound to come if only we fight on.

There is no need to hide the fact that we have lost the first round in our war of liberation. But that does not mean that fighting in Burma has come to an end. On the contrary, the Azad Hind Fauj and the Japanese Army are still fighting on various fronts in Burma and they will continue the fighting so long as it is humanly possible to do so. Those of us who left Burma have not withdrawn from the fight. We have come with the sole intention of continuing the struggle on other fronts. We are moving from one battlefield to another. We have but one goal before us—and only one method of achieving that goal—the method of armed struggle. Therefore, the various reverses we have suffered recently in Burma do not affect our future programme in any way. 'Chalo Delhi' continues to be the slogan and the war-cry of the Azad Hind Fauj. It may be that we shall not go to Delhi via Imphal. But the roads to Delhi are many like the roads to Rome. And along one of these many roads we shall travel and ultimately reach our destination, the Metropolis of India.

In all our recent experience there is one thing which is to us tragic and humiliating. Whatever reverses we have suffered during a campaign of about 15 months, have been due not so much to the British forces, as to the British Indian Army. In the spring of 1944, it was the British Indian Army that barred our way to Imphal, Calcutta and Delhi. This year, it has been the British Indian Army, more than anybody else, that has been responsible for the re-entry into the Burma of the British. In the last century, it was with the help of India that the British conquered Burma. There is, however, one silver lining in the cloud that has overtaken us and that is that the British Indian Army of today is not the British Indian Army of the last war. Soldiers of the Azad Hind Fauj have had numerous opportunities of coming in close contact with members of the British Indian Army. Very often our soldiers were told by the latter that if they (that is, Azad Hind Fauj) succeed in advancing further, members of the British Indian Army would then come and join them. There is no doubt that at heart large sections of British Indian Army sympathise with the Azad Hind Fauj and its fight for freedom. But the British Indian Army have lost their self-confidence and they are afraid that the British might ultimately win, in which case they would be in a difficult situation. Moreover, they have been influenced to some extent by the propaganda of our enemies that the Azad Hind Fauj (Indian National Army) is a puppet Army of the Japanese. After coming into Burma the eyes of the British Indian Army will be opened. They will see for themselves what the Provisional Government of Azad Hind and the Azad Hind Fauj have done and how they have fought for India's freedom. They will hear 'Jai Hind' which is the greeting of all free Indians. They will also hear India's inspiring National Anthem sung by freedom loving Indians in Burma. The effect of this experience on the British Indian Army, and on all other Indians who have come to Burma alongside of the British, is bound to be great in the days to come.

Friends! I shall once again refer to the war in Europe. There was a time when German armies had advanced inside Russia right up to Stalingrad. I wonder how many people there were who, in those days, could imagine that the tide would turn, that one day the Soviet Army would be in Berlin. Germany's defeat is one of the surprises of this war. Clausewitz¹ was perfectly right when

he said that 'War has many surprises'. But there are more surprises to come and some of these surprises will not be welcome to our enemies. You know very well that I have been always of the opinion that if Germany collapsed, it would be a signal for the outbreak of an acute conflict between the Soviet and the Anglo-Americans. That conflict has already broken out and it will be intensified in the days to come. The time is not far off when our enemies will realise that though they have succeeded in overthrowing Germany, they have indirectly helped to bring into the arena of European politics another power, Soviet Russia, that may prove to be a greater menace to British and American Imperialism than Germany was. The Provisional Government of Azad Hind will continue to follow international developments with the closest interest and endeavour to take the fullest advantage of them. The fundamental principle of our foreign policy has been and will be: Britain's enemy is India's friend.

It is clear by now that the war aims of the Soviet Union are quite different from those of the Anglo-Americans, although they had a common enemy in Germany. This has been further confirmed at the San Francisco conference where the Soviet Foreign Commissar M. Molotov refused to submit to the Anglo-American demands. In fact, M. Molotov went so far as to challenge the credentials of the puppets of Britain and America who came to represent India and the Philippines, respectively. The differences that became visible at the San Francisco Conference are only a precursor of a much wider and deeper conflict between the Soviet and the Anglo-Americans which the future has in store for the world. While the conflict between the Soviet and the Anglo-Americans is going on we should not fail to understand the real position and strength of our principal enemy, Britain. So long as Britain was without the aid of America, whether in Europe or in East Asia, she was badly beaten in every battle. Britain's recent successes have been due first and foremost to American leadership and American assistance. I have no doubt in my mind, and I have said so again and again in the past, that the days of the British Empire are drawing to a close. The British Empire is a decadent and decaying empire, and it is endeavouring now to prolong its life with the help of the United States of America. But though the life of an old man may be prolonged with the help of skilful doctors and efficacious medicines and injections, it can never be restored to useful vitality. The British Empire is endeavouring to march on with the help of the American crutches, but these American crutches cannot help Britain very long. All that we have to do is to deliver a knock-out blow to British Imperialism in India which is the basis of Britain's World Imperialism.

Our programme in East Asia remains unaltered. I demand from my countrymen in East Asia 'Total Mobilisation'. We want more money, more men and more materials to replenish the losses we have recently suffered. Above, all we want an indomitable will and unshakable determination. Let me remind you that it took the British full 100 years from 1757 to 1857 to finally subjugate India. Therefore, if we are to fight on for a few years more, in order to recover our liberty, nobody should grudge it. It is no doubt encouraging to us in East Asia to find that Indians all over the world even in enemy countries are wide-awake. I want you to cherish the same optimism and confidence in final victory as we have. It is this spiritual strength that is our steel anchor.

¹ Carl Phillip Gottfried Von Clausewitz (1780–1831) was a Prussian soldier and intellectual. He served as practical field soldier, as Staff Officer at Prussian State and later became a prominent military educator. He wrote a book titled '*On War*' (*Vom Kriege* in original German) which has become the most influential work of military philosophy in the western world.



16. 'Do Not Betray the Motherland'

Broadcast by Subhas Chandra Bose, Shonan, 25 May 1945.

GOI, Home Dept, INA Papers, File No. 16/INA/7510, NAI.

British-Indian troops! Do not betray the Motherland. Do not commit blunders for which you will have to suffer. Do not kill yourselves. You are fighting a British war and strengthening India's shackles. Remember the battle for freedom of 1857 and its consequences. No good will come to you by fighting for the British except that you will strengthen India's chains of slavery to your eternal shame. Join the 'Azad Hind Fauj' and fight for India's freedom. India is looking up to you.

I cannot at this stage issue a final or comprehensive statement on the situation in Burma, for the simple reason that fighting is still going on in several parts of Burma, in which troops of the 'Azad Hind Fauj' (Indian National Army), are engaged. But there is one remark that I can make without any hesitation. Whatever victories have been achieved by the Allied forces in Burma have been due more to the British-Indian Army than to any other section of the Allied Forces.

In the spring of last year when we were fighting on Indian soil, it was the British-Indian Army more than anybody else who barred the way to Imphal, to Calcutta and to Delhi. Likewise this year also it is the British-Indian Army more than anybody else that has been responsible for the victories hitherto achieved by the Allied Forces inside Burma. While we have been fighting for the liberation of our Motherland and incidentally for the defence of Independent Burma, it has been the most tragic experience to find ourselves thwarted by our own countrymen in the British-Indian Army, who are themselves slaves in their own country.

In the midst of this tragic experience there is, however, one small consolation. Up till now the British-Indian Army has been told day after day by our British oppressors that the Provisional Government of Azad Hind and the 'Azad Hind Fauj', have been working and fighting not as patriots and revolutionaries, but as puppets of a foreign power. In fact the 'Azad Hind Fauj' has been nick-named by our enemies as the 'Japanese Indian Fauj' or JIF. Now members of the British-Indian Army and other Indians who have come to Burma alongside the British will see with their own eyes the work of the Provisional Government of Free India and of the heroic fight put up by India's army of liberation against tremendous odds.

The effect of these experiences on the British-Indian Army in the first place and on the people inside India later on will become more and more apparent as the days roll by. Already a change is noticeable in the utterances of enemy propagandists. In recent days the enemy radio has been referring to the 'Azad Hind Fauj' not as the puppet army as before, but as a Japanese-inspired Indian National Army. Though we have suffered losses in men and material during the campaign of 15 months, our confidence in our ultimate victory remains unimpaired. Marshal Foch, the Supreme Commander of the Allied Forces in the last European War, once made a historic remark that that army is beaten which considers itself to be beaten. I am happy and proud to be able to say that no member of the Provisional Government of Azad Hind and no member of the 'Azad Hind Fauj' today feels that he has been beaten.

17. 'Likely Scenario of World Politics After Germany's Defeat'

Speech of Subhas Chandra Bose, Shonan, 25 May 1945.

GOI, Home Dept, INA Papers, File No. 16/INA/7510, NAI.

The war situation in Europe developed with dramatic suddenness during the last week of April and the first week of May. Though it was apparent to every observer since the beginning of this

year that the German armed forces would not be able to hold out for an indefinite period, nobody could predict how and when that end would come.

The courage, tenacity, and fortitude with which the armed forces of Germany fought till the moment of Hitler's death must be the admiration of the whole world. In my own view, the defeat of Germany was not a military, but a political one. It was the foreign policy of Germany, vis-à-vis Soviet Russia and other countries, that was fundamentally responsible for the military disaster which has now overtaken the German nation. One of the blunders committed by the German Government in the realm of foreign policy was their total disregard of Bismarck's advice to the German nation, 'never to fight on two fronts'. The turning point in European affairs came in 1940, when Monsieur Molotov, the Soviet Foreign Minister, visited Berlin. That was the hour when German statesmanship should have risen to its fullest height and reached an understanding with Soviet Russia by any means. If Bismarck had been alive he would have done that. But unfortunately for the German nation, its faulty statesmanship was responsible for the defeat in the present war.

The problem that should now engage the attention of every student of international affairs is as to what will happen to Europe in the future? On this point my views are perfectly clear, and I firmly adhere to what I have consistently said in the past, namely, that the collapse of Germany will be the signal for the outbreak of an acute conflict between the Soviet and Anglo-Americans. The whole world knows that the war aims of Soviet Russia are quite different from those of the Anglo-Americans. The Soviet Government knows that the defeat of Germany has been due first and foremost to the heroism, tenacity and sacrifice of the people and armed forces of the Soviet Union. Consequently the Soviet Government, being conscious of its own strength, will never give in to the Anglo-American powers in the post-war reconstruction of Europe. The truth of this remark has been already exemplified at San Francisco, where the conference virtually resulted in a fiasco, when Monsieur Molotov left that city.

The San Francisco Conference is only a precursor of the events that are to follow in the domain of European affairs. Europe now stands at the crossroads of history. Prior to the outbreak of the present war the affairs of Europe were in a chaotic condition, with the Big Powers pulling in different directions. Germany, however, had a plan for the reorganisation of Europe, and during the last five years she endeavoured to work out that plan. Now with the collapse of Germany that plan has come to naught. In post-war Europe there is only one other power that has a plan which is worth giving a trial, and that power is Soviet Russia. The only plan, if we call it a plan, which Britain can have is to maintain the balance of power in Europe in her own selfish interest with the help of France and possibly of the United States. That plan will never be accepted by the European nations. So far as the United States are concerned, however keen and ambitious they may be to establish the American Century in World's history, they will never succeed in controlling the affairs of Europe from across the Atlantic. Moreover neither Britain nor the United States of America who are capitalist, imperialist countries, can produce a plan of total reconstruction which will be acceptable to the nations of Europe.

Consequently, we come to the conclusion that there is no other alternative for the nations of Europe than to give a trial to the experiment that has proved itself so eminently successful within the Soviet Union. No doubt, Britain and America, and Britain even more than America, will do everything in their power to stop and frustrate Soviet plans for the reconstruction of Europe. But these attempts are bound to fail, primarily because during the last five years public opinion all over Europe has swung so violently to the left that after the collapse of Nationalist-Socialist Germany, no Government and no social order can endure, which is not predominantly Leftist in character. So far as Germany's future is concerned we have to remember that the Nationalist Socialist Government, during a period of twelve years, virtually destroyed the old Capitalist regime. The

only alternative before the German people therefore seems to be a Socialist order of a radical type, which will be on friendly terms with the Soviet Union. But that this development will actually take place depends on how Germany will be treated by the Allied powers.

If Germany is not humiliated, and is not made to nurse a desire for national revenge, it is inevitable that there will be a peaceful transition from National Socialism to Socialism of a radical type. If on the other hand the German people are humiliated and persecuted, the socialist trend among the German people will be drowned for the time being, and we shall see once again the seed of an ultra-nationalist revival which may prove to be the starting point of another European war and perhaps of World War number three.

If there is one man in Europe today, who holds in his hands the destinies of the European nations for the next few decades, that man is Marshal Stalin. The whole world, and above all Europe, will therefore follow with the greatest anxiety the moves of the Soviet Union in the days to come. In this hour of Germany's sorrow I cannot help reiterating on behalf of the Indian people and myself, my heart-felt gratitude for the German people and nation for the sympathy and support that they gave us in our struggle for freedom.

Jai Hind!

18. 'Stop Persecution of INA Members'

Broadcast from Radio Bangkok by Subhas Chandra Bose on the treatment of members of Azad Hind Fauj captured by Anglo-Americans in Burma.

GOI, Home Dept, INA Papers, File No. 16/INA/7510, NAI.

30 May 1945

Information that has reached us from a reliable source in Burma goes to show that vindictive and brutal treatment is being meted out to officers and men of the Azad Hind Fauj, the Indian National Army, who have been captured by the Anglo-Americans in Burma. As the whole world knows the Anglo-Americans and in particular the British have always been in the habit of condemning Germany and Japan for their supposed ill-treatment of the Anglo-American prisoners of war.

I would now like to ask what the Anglo-Americans themselves are doing to the members of the Azad Hind Fauj, who happen to fall into their hands, in Burma?

Though the Allied Forces in Burma belong to several nationalities, the responsibility as regards the ill-treatment of officers and men of the Azad Hind Fauj devolves solely on the British authorities. The British authorities cannot even invent the excuse that we ill-treated their troops who fell into our hands. They won't be allowed to. The only Allied troops who fell into our hands were those who voluntarily came and joined the Azad Hind Fauj. Even the New Delhi Radio admitted some days ago that all those who joined the Azad Hind Fauj received good treatment.

It may be that the British authorities feel that we are not in a position to retaliate, and they can therefore do what they like with our officers and men. But I would like to warn the British authorities that this is not to be the case. If we are forced to do so, we can find ways and means for adopting retaliatory measures in case they continue to ill-treat and persecute the officers and men of the Azad Hind Fauj. But before we are forced to take retaliatory measures, there is one way open to us, that is not only efficacious but also easy. If our countrymen at home take up this matter and carry on a raging and tearing campaign inside India, I am absolutely sure that the British authorities will be brought to their senses and will see the error of their ways.

Public opinion in India may not be strong enough to force the British to concede independence to India, but it is certainly strong enough to stop the ill-treatment and persecution of members of the Azad Hind Fauj, who have become prisoners of war at the hands of the British. Members of the Azad Hind Fauj are honest patriots and revolutionaries, fighting for the freedom of their Motherland. They no doubt fought bravely and stubbornly against the British, but they fought with clean hands and with a clear conscience. They are therefore entitled to decent treatment in captivity, in accordance with international usage and convention.

Consequently, I appeal to my countrymen to take up the cause of their own prisoners of war who fought for India's liberation and who are now receiving brutal and vindictive treatment at the hands of the British. I appeal to them also to compel the British authorities to divulge correct information about the fate of these prisoners of war so that the world may judge how far the British themselves observe the rules and canons of international warfare to which they pay so much lip-service.

Jai Hind!

19. 'Have Confidence in Our Final Triumph'

Subhas Chandra Bose's Broadcast on Lord Wavell's Offer to India, Saigon, 18 June 1945¹

GOI, Home Dept, INA Papers File No. 16/INA/7510 and also File No. 54/INA/7510, NAI.

I have followed with close attention the speech which the Viceroy of India, Lord Wavell, made on the 14th June from New Delhi, conveying the offer of the British Government to India. That was the offer, to bring which Lord Wavell made the long pilgrimage to London. Though the language and tone of the Viceroy's speech gave me the impression that he himself had very little hope that India would accept it, I have no doubt that the public in India are now busy discussing the offer and framing their reply to it. At such a juncture, it would neither be untimely nor out of place to inform Indians at home as to how Indians in East Asia have reacted to the British Government's offer.

First of all, I should point out that the Viceroy has himself confessed that the motive of the British Government is to mobilise India's support in the war against Japan. The British people are war weary and, after the termination of the war in Europe, they badly need rest and relaxation. They must, therefore, get other people to fight their battle and to pull the chestnuts out of the Far Eastern fire. But the British Indian Army too, is war-weary and after the recent successes of the Anglo-Americans in Burma, the British Indian Army also desires rest and relaxation. A new fillip is, therefore, needed to make the Indian people pour out their money and shed their blood for the preservation of the British Empire. As long as we were fighting the Anglo-American forces inside and along the Indo-Burma border, the British could bluff and bamboozle the British Indian Army into thinking that it was their duty to fight for the defence of India. The British could also bluff the British Indian Army into thinking that the Burma campaign was merely a continuation of the campaign for the defence of India. But now that the British want India's blood and money for the campaign beyond Burma and for the campaign in the Pacific a new subterfuge must be found in order to obtain India's support for Britain's war. That is why the British Government has now produced this new offer, which is in reality, Sir Stafford Cripps' old offer in a slightly altered garb.

In deciding what their reply to Lord Wavell should be, the Indian people will have to consider what they stand to gain by fighting Britain's war against Japan. It is one thing for Britain to forcibly exploit India for her war purposes, but it is quite a different thing for Indian nationalists to voluntarily participate in Britain's war. To cooperate in Britain's war effort at this stage will mean that we shall

completely nullify the moral stand that we have consistently taken against Britain's war, since September 1939. It will mean political suicide for the Indian National Congress and for all Indian nationalists.

At an earlier stage of the war, British propagandists and their Indian flunkies could possibly have argued that the Japanese Army was dangerously near to India and that the Indian people should, therefore, participate in Britain's war in East Asia. But in the altered war situation in East Asia today, no Indian can have any interest in fighting Britain's war against Japan.

It should, therefore, be crystal clear that if India accepts Lord Wavell's offer, then she will have to sacrifice voluntarily her resources in money, men and materials for fighting Britain's imperialist war against Japan. But what will India gain in return? Nothing except a few jobs on the Viceroy's Executive Council. It cannot even be argued that by accepting the offer, we shall be paving the way to self-government, which Lord Wavell and the British Government have promised us. India does not care any longer for self-government within the British Empire and India will never be content with anything less than complete independence. But even if any Indian were prepared to accept self-government, he would have a much better chance of achieving that objective by continuing resistance now than by accepting the present offer. The moment one accepts the offer, it will be inferred by the British Government that he is prepared to compromise, by taking what is very much less than even self-government. I have no doubt in my mind that acceptance of the offer will seriously jeopardise all chances of securing even self-government in future—not to speak of complete independence.

To sum up, by accepting the offer, we shall gain nothing, but we shall lose much and it is Britain that will profit considerably at our expense.

Under normal circumstances, there would not be even one per cent chance that any Indian nationalist would even look at the present offer. But the British are cunning politicians and they have chosen the proper psychological moment for hurling this offer at India. British politicians are guessing that the Indian people are now overawed by the Anglo-American victories. The Indian people may, therefore, feel that since there is no chance of achieving independence during the course of the present war, one might as well make the best of a bad bargain and take whatever is being offered by the British. This is frankly the attitude of pessimists and back-boneless politicians like Sri Rajagopalachari. But such an attitude is entirely mistaken and unjustified—and that, for two reasons. Firstly as the celebrated military strategist Clausewitz once said, 'war has many surprises'. The first surprise of this war has been the defeat of Germany. But there are many other surprises in store for us—some of them will not be welcome to our enemies. Though the war in Europe has ended, the war in East Asia will go on for a long time and India will have more golden opportunities in future for working for—and achieving—her liberation. There is accordingly no reason to enter into an ignoble compromise with British imperialism at this stage.

Secondly, even if we fail to win Independence during the course of the present war, we shall still get a last opportunity when the present war terminates and the change over from war to peace takes place. History affords several instances of successful revolutions which have broken out immediately after the ruling power has emerged victorious out of a war. For instance, in Ireland the Easter Rebellion of 1916 was easily crushed. But the Irish Revolution of 1919, after Britain's victory in the first world war, was successful. Similarly, Turkey was badly defeated during the first world war. But after her defeat in 1918, Turkey launched her war of liberation and she came out triumphant in 1921. After the Allied victory in Europe in the present war, Syria and Lebanon are waging their war of liberation and I have no doubt that they will ultimately come out victorious. Consequently, there is no reason whatsoever why the Indian people should despair now. And

there is, therefore, no reason why they should humiliate themselves by accepting the offer which they proudly rejected in 1942 when Sir Stafford Cripps was Churchill's messenger.

I should now refer to the merits of the British proposal. On analysis, it will be found that the present proposal is—in essence and in substance—identical with that of Sir Stafford Cripps in 1942. A few more seats on the Viceroy's Executive Council have been offered to us this time, for example those of Home Member, Finance Member and Member in charge of External Affairs of British India. But these members, like the other, will be appointed by the Viceroy and will be responsible to him, and not to the Legislature. What then can these members do except to carry out Lord Wavell's war policy? What will India gain through the presence of such brown skinned members on the Viceroy's Executive Council? Absolutely nothing. On the other hand, the important portfolio—that of the War Member—has been reserved for a Britisher—namely, the Commander-in-Chief.

While the present offer is the old offer of Sir Stafford Cripps appearing in a slightly altered garb, there are these obnoxious features which render that offer totally unacceptable. In his speech, the Viceroy clearly indicated that he regarded the Congress as one among many parties—as has been the traditional policy of the British Government. This attitude was indignantly repudiated by Mahatma Gandhi at the Round Table Conference in London in 1931 when he asserted that the Congress represented the Indian People. If the Congress accepts this offer, it will repudiate once for all what it has consistently maintained, namely, that it represents the people of India—and it will accept what the British Government has consistently urged namely, that the Congress is one among many parties in India. I cannot for the life of me imagine how any Indian nationalist can accept the offer.

There is another mischievous feature in Lord Wavell's offer. He has ordered the release of the members of the Working Committee of the Congress, but has hinted that unless his offer is accepted, all the others who have been imprisoned since the disturbances of 1942, will have to remain in custody. And there is no indication in his speech that even if his offer is accepted, those who were imprisoned between 1939 and 1942 will be set free. It is a well established convention in all democratic countries that a constitutional change is heralded by an amnesty for all political prisoners. In the case of India, however, this convention has been given a go by.

The British Government has been telling us, in season and out of season, that while the war is going on, far reaching political changes cannot be made. Here in East Asia, we have seen a totally different state of affairs. Right in the midst of a war, new independent Governments have been set up and power has been handed over to the children of the soil. Where there is a will, there is a way. If British really wants India to have self-Government, she could arrange to have a self-Government administration set up in India in no time even while the war is going on.

We have suffered long and suffered much from the political persecution and economic exploitation of British imperialism. Let us suffer a little longer but let us resist British Imperialism by all the moral and material means at our disposal. And, above all, let us keep the flag of Independence flying. By resisting British imperialism and by refusing to compromise over Independence, we shall be able to keep the Indian issue alive before the bar of world opinion. That is the way to freedom. If, on the other hand, we enter into an ignoble compromise with British imperialism at this stage, India's case before the civilised world will have no legs to stand on.

It may be that some of you are asking what positive means I advocate for the liberation of India. To that, my answer is perfectly clear. Firstly, outside India we shall carry on the armed struggle for India's freedom to the last man and to the last round. Secondly, our friends in this wide world—of whom, we have many—will go on agitating for India's Independence before the

bar of world opinion and in all international conferences. And, lastly, you at home, must prepare for a revolution which should break out as soon as the present war terminates—and that must be a revolution in which the British Indian Army will participate.

In conclusion, I appeal to all to keep up their faith in the justice of our cause—as well as confidence in our final triumph. I repeat that the forces that are now working inside India and outside are irresistible. There is no earthly power that can stand between the Indian people and their freedom. We have only to be firm, unflinching and patient and carry on our struggle under all circumstances. The Viceroy has asked for our goodwill and cooperation. Let him know that our goodwill and cooperation have been reserved for India's struggle for liberty for none else.

Jai Hind!

¹ Transmission for India usually included the following: 'This is the Provisional Government of Azad Hind Broadcasting Station, Saigon. You will now hear a statement issued by Netaji Subhas Chandra Bose, Head of the Provisional Government of Azad Hind and Supreme Commander of Azad Hind Fauj'.

20. 'No Cause for Defeatism'

Broadcast by Subhas Chandra Bose, Bangkok, 19 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

Yesterday, I spoke in a general way about Lord Wavell's offer and what our reaction to it should be. Today I want to speak to you again on the same subject. But before I do so I should like to draw your attention to the communiqué issued by the Provisional Government of Azad Hind on the same topic. That communiqué has been broadcast to you from this station yesterday and again today. The importance of this communiqué lies in the fact that it represents the considered opinion of politically minded Indians in East Asia. The communiqué has also added significance in so far as Indians in East Asia will stand by the policy enunciated therein. In other words, if the Congress decides to accept Wavell's offer and if, as an inevitable consequence of it, the Congress leaders come at the head of the Indian troops to fight Britain's imperialist war in the Far East then there will no option for us but to fight with the Azad Hind Fauj against our own countrymen who would be allies of British Imperialism.

British and American News Agencies have been giving fairly full report of the daily developments inside India. With the help of these reports, it is possible to form a correct picture of what is going on in our country. From the reports coming from India it is clear to me that most people are absorbed in the consideration of the secondary features and all the insignificant details of the British offer while, on the other hand, they do not give sufficient attention to the fundamental issues involved in the offer as well as the inevitable consequences of it. I would therefore beg you to consider first of all what the inevitable results of accepting Wavell's offer will be because the Congress leaders will have to take the responsibility of sending at least half a million Indian troops to fight Britain's imperialist war—not on the Indo-Burma border or inside Burma—but in the regions beyond Burma and in the Pacific. With all due respect, I would like to ask Mahatma Gandhi, Maulana Abdul Kalam Azad, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and other leaders whether they will take the responsibility of fighting Britain's imperialist war in the Far East and of sacrificing half a million Indian lives for the same.

Our countrymen at home do not perhaps realise what is the real origin of the present offer of the British Government as I have said in a separate statement. I have definite information coming

from reliable sources that the British Government was asked by the United States of America to produce sufficient men, money and materials for their future campaign in the Far East. The British Government was prepared to produce the required money and materials but was unable to produce the men from Britain, for reasons to which I shall subsequently refer. The British Government therefore called upon Lord Wavell to produce half a million Indian troops from India in order to meet the demand of the United States of America. Lord Wavell, knowing the Indian situation, was unable to comply with this request because the best portion of the British Indian Army had been engaged in the war in Africa, Asia and Europe for a long time and had now become war-weary. Lord Wavell informed the British Cabinet that unless sufficient public enthusiasm was roused in India, it would be impossible to find half a million Indian troops who would be willing to fight Britain's war in the Far East. Therefore, consultations took place between Lord Wavell and the British Cabinet, as to how India's support could be mobilised for the future military operations in the Far East—that is in Malaya, Thailand, Indo-China, China and Japan proper. The sole motive underlining the British offer is somehow to get, with the approval of the Indian nationalists, half a million troops, with necessary materials to fight Britain's imperialist war in East Asia. Since it is Chungking¹ that will profit greatly, if Indian troops are made available for the war in the Far East, it is no surprise that the Chungking Government and its propaganda organs are now jubilant over Lord Wavell's offer and want the Congress to accept it.

It may be that there are many Indians at home who would not care if Indian troops sent out to the Far East in future will be opposed by the Azad Hind Fauj, but there is no Indian who can be indifferent to this sinister plan of sacrificing half a million Indian lives for Britain's imperialist war in future.

I have said above that there are definite reasons as to why the British Government is unable to produce from inside Britain the fighting troops needed for the future campaign in the Far East. First of all, the British have suffered tremendous losses during the war on many fronts for a period of 5 years and 9 months. As a result the British people are war-weary and British troops are not willing to face another long campaign which must be fought under conditions much harder than in Europe. Secondly, unlike the first World War, this war has well-nigh brought about the financial bankruptcy of Britain. Owing to the pressure of war requirements, British industries had to switch over almost entirely to war production—which was not the case with American industries. The result was that, during the war, Britain was fast losing her pre-war markets and these markets were going into the hands of America. If this process goes on for a long time, then Britain, in spite of an Allied victory, will lose the greater portion of her pre-war foreign trade. Owing to this reason, British leaders find it imperative to release their factory workers from the fighting forces and war services and thereby restart their peace time industries. It is absolutely impossible for Britain to do both things at the same time, namely, fight another long campaign in the Far East and restart her peace time industries. Therefore, the other big source of manpower within the British Empire, namely, India is to be exploited in order to produce cannon-fodder for the future campaign in East Asia. If it had been possible to get the required half a million troops from India without popular sympathy and support, Wavell's offer would never have seen the light of day. But since the British Indian Army had already been fighting over a long period and was war-weary, it was absolutely essential for Lord Wavell and the British Cabinet to win over the Congress in order to get the required cannon-fodder for the future campaign.

I have no doubt in my mind that, under normal circumstances, nobody belonging to the Congress would have even looked at Lord Wavell's offer. In order to give consideration to that offer, Congressman will have to give the go-by to the fundamental principles and resolutions of the Indian National Congress. The Congress stands for complete Independence. Lord Wavell's

offer—as has been rightly pointed out by Mahatma Gandhi—does not even mention the word ‘Independence’. Secondly, the Congress stands for non-participation in—and resistance to—Britain’s Imperialist war. Thirdly, the Congress is still pledged to the ‘Quit India’ resolution, adopted 3 years ago, and the national slogan for the Indian people since then has been ‘Do or Die’ in the fight for India’s freedom. No Congressman can, therefore, consistent with his principles, look at Lord Wavell’s offer, not to speak of giving consideration to it. Nevertheless, the fact that so many Congressmen and leaders are really considering the British offer is because a wave of defeatism has swept over India since the Anglo-American success in Europe and in Burma. In a fit of pessimism and defeatism, some Congressmen are forgetting their life-long principles and are now reconsidering the offer which they proudly rejected in 1942. What I want to tell my countrymen at home, clearly and frankly, is that the defeatism and pessimism which seem to have overtaken them are altogether unjustified. Whether one considers the international war situation or the international political situation, there is no room for pessimism or despondency. The war in East Asia—whatever its ultimate result may be—is going to be a long and bitter one. The whole world knows that there is no real unity in the camp of the so called United Nations. The war aims of Soviet Russia are quite different from those of the Anglo-American powers and the conflict between the Soviet and the Anglo-Americans is growing from day to day. Both sides have, of late, been trying to patch up their differences in Europe, but that is because they are preparing for a showdown in the Far East. Since the collapse of Germany in Europe, Soviet Russia has been taking an increasing interest in the affairs of Asia. Had it not been for this, Mon. Molotov, the Soviet Foreign Minister, would not have declared at San Francisco that the day was not far off when the voice of Free India would be heard in the world.

While the war in the East will be going on surprising developments are bound to take place in the domain of international affairs. Some of these developments will not be favourable to our enemies and they will afford India further opportunities for achieving her Independence. Syria and Lebanon—in spite of the Allied victories in Europe—are fully utilising the international situation for achieving their Independence. By using England and the United States of America against French Imperialism, they are setting an example to India as to how India could utilise the international situation for winning her freedom. There is no doubt that if today Syria and Lebanon are using Britain and America against France, the day is not far off when other Arab States will use other friendly powers against Britain. The British politicians realise this and they realise also that India will utilise the support of friendly powers for winning her Independence. And some of these friendly powers may come from inside the camp of the United Nations. During the course of war, India has become a live issue in world politics and there is no doubt that in all international conferences, in future the Indian issue will be raised. British politicians, therefore, want to prevent India remaining an international issue any longer and want to convert India into a domestic issue of the British Empire. Let us not forget that the moment there is a compromise between Nationalist India and Britain, India will become a domestic issue of the British Empire and it will then be impossible for foreign powers, such as Soviet Russia, to intercede on behalf of Indian Independence.

In spite of the recent military successes of our enemies, India has been making rapid progress towards her goal of Independence. In addition to what the Indian people have been doing at home, two distinct forces have been working for India’s independence—firstly, those who have been fighting with arms against India’s enemies and, secondly, those who have been agitating for India’s Independence before the bar of world opinion. Those who have hitherto been fighting with arms against India’s enemies will go on fighting in future. So far as the Indian National Army is concerned, it will go on fighting to the last man and to the last round. Similarly, those who have made India an international issue and who have been agitating on India’s behalf before the world

will also go on doing so. The forces working outside India coupled with the resistance inside India are irresistible. If you, my countrymen at home, cannot fight British Imperialism openly with arms, then at least keep up the moral resistance to our enemy—by refusing to compromise with him or to fight his imperialist war.

In this connection, I want to make an earnest appeal to Mahatma Gandhi, to the President and members of the Congress Working Committee and to the millions of Congressmen and Congress women who stand behind them that they should not judge the international situation wrongly at this critical moment. A mistake in appreciating the international situation is likely to lead to a wrong step in Indian politics. India is not beaten. We are not down and out. The present international situation is not unfavourable to us. On the contrary, it is much to our advantage and will become more so in the days to come. Why then do we think of a compromise now? Why then should we accept the offer which we deliberately rejected three years ago? I speak now as an ordinary member of the Congress, who throughout his whole public life, has faithfully served the Congress and the cause of India's Independence. Even if you, my sisters and brothers at home, think that our allies will be ultimately defeated and that the Anglo-Americans will ultimately emerge triumphant, there is still no reason for despair, so far as India is concerned. So whatever may happen in world politics in future India is bound to win. India's star is definitely in the ascendance. Do not try to drag it down by a wrong step at this juncture. We have suffered long and suffered much. Let us suffer a little more. But by all means let us stick to our guns till the end of this war.

Sisters and Brothers at home! Do you not understand why Lord Wavell is in a beastly hurry? Do you not understand why he has rejected the suggestions of Mr Jinnah to postpone the Simla Conference? To us, outside India, the matter is very clear. The General Election in Britain takes place on the 5th July. The Conservative Party wants to prevent India becoming an election issue. That is why Wavell's offer was sprung upon us, one month before the General Election in England. Nobody knows what the result of the General elections may be. But everybody knows that whether the Labour Party gets a clear majority or not, it will in any case emerge much stronger in Parliament after the 5th July. The Conservative Party is afraid that if the Labour Party comes to power and if, in the meantime, the Indian Problem is not settled, the Labour Party is bound to make another attempt to solve the Indian question. Personally, I do not believe in bargaining—because for me there can be no compromise over India's Independence. But if you are keen on bargaining, and if you are determined to compromise over India's Independence then I beg you not to commit yourselves before the 5th July. I do not know what was in the mind of Mr Jinnah when he asked for a postponement of the Simla Conference. But if he intended to avoid playing his trump card before 5th July, then I must express my admiration for his political sagacity and far-sightedness. I can make a clear prediction that Lord Wavell will move earth and heaven to arrive at a decision before the 5th July. If he succeeds, it will be a feather in the cap of the Conservative Party and will help considerably to swell the votes of the Conservative Party's candidates at the election. Moreover, if Lord Wavell succeeds in arriving at an agreement with the Congress before the 5th July, and if thereafter the Labour Party comes to power, then the Conservative Party will be able to prevent the Labour Cabinet reopening the Indian issue.

It is not my intention to say that I believe in bargaining with the Labour Party. Far from it. My own plan is clear and that is to go on fighting with the Azad Hind Fauj, to the last man and to the last round. But if you are not prepared to go that way and regard it as a perilous adventure, and if you are determined on bargaining with the British Government then I shall say that the time for bargaining is after 5th July. If you do not come to an agreement with Lord Wavell before 5th July, then you will help to swell the votes of the Labour Party's candidates at the General Election. Do

not forget that both Cripps' offer and Wavell's offer have been made under the auspices of a Tory Cabinet. The Labour Party may, on both occasions, have been a consenting party—but the initiative and responsibility did not rest with the Labour Party. If Lord Wavell fails in his endeavour, it is inevitable that the British public would like to give the Labour Cabinet a chance of tackling the Indian issue. Therefore, to sum up, if you believe in bargaining, then break with Lord Wavell and reject his offer. This will undoubtedly help the Labour Party at the polls and may even help the Labour Party to come into office. After that, bide your time. The Labour Party will take the initiative of reopening the Indian issue—hoping that it will succeed where the Conservative Party failed. Remember, my friends at home, that if there is a Labour Cabinet after the 5th July, that Cabinet will consider it a matter of credit to be able to solve a problem which has remained unsolved for a long time. Therefore, with the Labour Cabinet you can strike a bargain which will be much more advantageous to India than a bargain with Lord Wavell.

Sisters and brothers at home! I shall speak to you again tomorrow at about this time. Today, before I close, I shall say one thing more. You are now violently condemning the Viceroy and you are criticising him for giving an equal number of seats in the Executive Council to Caste Hindus and to Muslims. But why do you not go deeper into the question and unearth the unholy conspiracy that lies behind it? So far, not one single Indian leader has done so, judging from the reports that are now before me. I regret that the members of the Hindu Mahasabha have taken what appears to be a wrong line. Our objections should not be to Muslims getting more seats—or even the majority of seats on the Executive Council. The moot question is who these Muslims will be. If we have Muslims of the type of Maulana Abul Kalam Azad, in whose hands the destiny of India will be safe, then personally I have no objection to giving all the seats to such patriotic Muslims. There is no difference between a patriotic Muslim and a patriotic Hindu. The British intention in the present case is to give all the Muslim seats to the Muslim League. The seats reserved for the Caste Hindus may all be given to the Congress. For the remaining seats the Viceroy will appoint his own nominees who will vote according to the Viceroy's directions. Consequently with the Muslim League cooperating with the British Government, the Congress Party in the Executive Council will become a standing minority. Thus by a clever stratagem the Viceroy will continue to rule India as he has done up till now, but he will do so in future—if the Congress accepts the offer—with the help of the Congress and in the name of the Indian people. Now the question arises as to whether the Muslim League members in the Executive Council will cooperate with the Viceroy. In my view, they will do so, because the Viceroy will throw a bait at them that if the Muslim League cooperate with the British Government in its war efforts, then the British Government will help the Muslim league to realise its plan for Pakistan when a constitution is framed.

I have no doubt in mind that behind the offer of Lord Wavell there is a secret understating either explicit or tacit between the Muslim League and British Government. Sri Bhulabhai Desai, Sri Rajagopalachari and others may think today that they will outwit Muslim League but it is Mr Jinnah and his colleagues who will outwit them.

In the Executive Council the Muslim League Party will carry out Britain's War policy in order to realise their plan of Pakistan as a reward for Muslim League's cooperation in Britain's war. The Congress Party, if they accept this offer, will become a permanent minority in the Executive Council. Nevertheless they will have to carry out Britain's war policy as a part of the compromise. After the cooperation of the Congress has been secured by the British Government through a clever stratagem the British will, in the fullness of time, kick out the Congress and bring about the vivisection of India. In the meantime, the Congress will have committed suicide by accepting the position that it is not the representative of the Indian people, but is one party among many parties

in India. I, therefore, ask—nay, I implore you—to ponder deeply over the matter and reject this dangerous and sinister plan of Lord Wavell.

I can understand those leaders who have so far declined to say anything about Lord Wavell's offer. But I am painfully surprised to find that some of these leaders who have spoken, like Pandit Jawaharlal Nehru, have not insisted on the release of the political prisoners prior to the Simla Conference. They have not even criticised the Viceroy for ignoring altogether those who have been imprisoned prior to the disturbances of 1942 as well as those who were imprisoned after those disturbances. All that the Viceroy has said is that if the Congress behaves like good boys and accept his offer then the cases of those who were imprisoned in connection with the 1942 disturbances will be considered by the New Executive Council. There is not even a guarantee that they will all be released by the New Executive Council.

In conclusion, I want to say that though I do not agree with the line of approach of the members of the Hindu Mahasabha and of the anti-Pakistan Front, I feel very strongly that they are rendering a distinct service to India by giving outspoken expression to their opposition to Lord Wavell's plan. In fact, I should go one step further and say that at this critical juncture, it is the duty of all right thinking and patriotic Indians, particularly of all progressive Congressmen, to start a raging and tearing campaign all over the country, without delay, with a view to preventing the acceptances of Lord Wavell's offer. Mahatma Gandhi has always been responsive to public opinion as a leader should be. By refusing to represent the Congress officially at Simla Conference, he has kept himself free to adopt the line in accordance with the wishes of the public and in the true interests of India. I have no doubt in my mind that the public opinion and the opinion among the rank and file of the Congress should oppose this plan without delay. Mahatma Gandhi will not fail to take note of it and then will advise the Congress to reject the unwanted offer. Sisters and brothers, the destiny of India now lies in your hands; be up and doing and see to it that Lord Wavell's offer goes the same way as the Cripps in 1942.

Jai Hind!

¹ Chunking (also called Chongqing) is the most important city in Sichuan province of West China. It served as Chiang Kai-Shek's war-time capital from 1938 to 1945.

21. 'What has Happened to Our Goal of Independence?'

Broadcast by Subhas Chandra Bose, Shonan, 20 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

I am going to speak to you today as I would have done, if I had been with you at this critical juncture. I should speak to you as one who has been with the Congress and has served the Congress with loyalty and devotion since 1921, through fair weather and foul.

You remember very well—I hope—what political developments took place in India after September 1939, when the war broke out in Europe. At that time the British Government wanted to use the Congress Ministries in the provinces for the prosecution of the war. But the Congress refused to cooperate in the war effort and for two reasons, firstly, Indian's national demand for Independence had not been accepted by the British Government, and secondly, the British war was an Imperialist war, in which India had no interest. At that time there was no question of the Congress cooperating with the British Government at the Centre, but not only in the eight provinces—out of eleven—where there were Congress ministries. Since the Congress decided not

to cooperate in Britain's war in 1939, the Congress Ministries resigned, although it was then clear to every Congressman that if those Ministries had remained in the office, they could have done a lot of good to the Indian people in other matters.

After the resignation of the Congress Ministries, the Congress gradually resumed once again the fight for freedom. The climax came in 1942, when the 'Quit India' resolution was passed and the people were given a new slogan in their renewed struggle for liberty—the slogan of 'do or die'.

Now in the year of grace 1945, we are confronted with Lord Wavell's offer. We are told that if the Congress agrees on wholehearted participation in the coming campaign in the Far East, then the Congress can get two things now—plus a promise of self-government for the future. These two things are—firstly, some jobs on the Viceroy's Executive Council and secondly, the restoration of the Congress Ministries in the provinces.

From the reports coming in from India, it appears that some Congressmen are very favourably disposed towards Lord Wavell's offer. This means that they are satisfied with a promise of self-government—not independence, mind you—provided the Congress Ministries in the provinces are restored and a few jobs on the Viceroy's Executive Council are made available to Congressmen. But all these things have been before the Congress for a long time. Firstly, the British have promised us self-government all long. Secondly, in the province there were eight Ministries under our control in 1939, and it is we who decided that they should resign. Thirdly, jobs on the Viceroy's Executive Council have always been open to Congressmen who were prepared to sell themselves.

There are only two new items in Lord Wavell's offer. Firstly, the number of jobs on the Viceroy's Executive Council has been increased. Secondly, as against that, there is an express and explicit stipulation, that acceptance of the offer will mean a pledge of wholehearted participation in the coming campaign in the Far East. This was not the case when the Congress Ministries tendered their resignation in 1939. The Congress Ministries—if they had so desired—could have continued in the office after 1939, without giving a clear pledge of wholehearted participation in Britain's war.

To those who are now eager to accept Wavell's offer, I should like to put a few questions, in order to clarify the issues before us:-

1. What has happened to our goal of Independence, to which there is not even a passing reference in Lord Wavell's offer?
2. Does Purna Swaraj mean Indianisation of the Viceroy's Council or complete withdrawal of British power from India, including the Viceroy and British Commander-in-Chief?
3. Why did the Congress Ministries resign in 1939?
4. What has happened to the 'Quit India' resolution of 1942 and to our national slogan—'Do or Die'?
5. Why did we condemn Congressmen like Sri M.S. Aney and Dr N.B. Khare who accepted jobs in the Viceroy's Executive Council?

It cannot be argued by the 'Compromise Wallahs' of today that the New Executive Council as envisaged in Lord Wavell's offer will be fundamentally different from the Executive Councils of the past. The Viceroy himself has left no room for ambiguity. He has made it crystal clear that his proposal comes within the four corners of the existing Constitution and that his plan does not imply a constitutional change. Further, it is the Viceroy who will appoint his Executive Council and the members of that Council will be responsible to him—and not to the Legislature. The most gruelling provision is that in the Executive Council, the will of the majority will not prevail and the Viceroy will have full powers to veto the decisions of that Council. This is the type of 'Freedom and Democracy'—this is the type of the 'New Deal'—that India is to receive at the hands of Britain.

I have to add that though some new jobs have been thrown open to us—for example, Home and Finance portfolios—the key position—viz., the War portfolio—remains in the hands of the British Commander-in-Chief. The War Member will control not only his own department but, on the plea of war-requirements, he will also control all the other departments. Whatever the War Member will demand and the Viceroy will endorse, all the other Executive Councillors will have to agree to. The Executive Councillors will be legally bound by their responsibility to the Viceroy and Governor-General and they will be morally bound by their pledge of wholehearted participation in Britain's war. Consequently, Lord Wavell's proposal may best be described, in the words of the late Vithalbhai Patel, as 'Swaraj for the Viceroy'—not even 'Swaraj for the Executive Council'.

As to the Department of External Affairs being handed over to an Indian Member, I feel that it will prove to be an eyewash—because the affairs of Indian States as well as tribal frontier affairs will be outside the jurisdiction of this Member.

Though there is no question of 'Collective Responsibility', or 'Majority Rule' in the New Executive Council—and though the Viceroy and Governor-General will remain the same autocrat as before—he has nevertheless, sought to hide his autocracy in the New Executive Council through an ingenious political device or stratagem. This stratagem consists in providing for a permanent majority in the Executive Council who will stand by the Viceroy under all circumstances.

It is, I believe, the intention of Lord Wavell to give to the Muslim League all the seats in the Executive Council reserved for Muslims, if the Muslim League makes that demand. Similarly, he will give to the Congress all the seats reserved for Caste Hindus—if the Congress insists. The remaining members will be appointed by Lord Wavell, according to his own sweet will, and it goes without saying that these members will be completely subservient to him. It follows, therefore, that if the Viceroy can win over to his side either the Congress bloc or the Muslim League bloc in the Executive Council, then he will have a permanent majority to stand by him at all times.

Now the question is as to which of the two blocs is likely to sell itself to the Viceroy. It will be difficult for the Congress bloc to do so, because they will then be repudiated by the general public and by the rank and file of the Congress. But it will be possible for the Viceroy to win over the Muslim League bloc to his side, by throwing a bait that if they behave like good boys and cooperate wholeheartedly in the war, then the British Government will as a reward, help them to realise their dream of Pakistan. On the other hand, if the Muslim League bloc gives him any trouble, the Viceroy will put out a threat that the British Government will lend its support to the plan of a unified India, as against the Pakistan Plan. In this connection, I shall venture to remark that it should be no surprise to anybody, if there is already, a secret understanding—whether explicit or tacit—between the British Government and the Muslim League that both of them will make common cause against the Congress in the Executive Council.

If the above analysis is correct—as I am sure it is—then it follows that if the Congress accepts the offer, the Congress bloc in the Executive Council will become a permanent minority. Nevertheless, the Congress bloc will be constrained to carry out Britain's war policy—in view of the pledge of wholehearted participation in the war effort which is an integral part of the compromise.

It is, therefore, incumbent on us to consider, coolly and dispassionately, at this stage what the Congress and the country will gain by accepting the offer—and what the inevitable consequences of such acceptance will be.

So far as I can judge, the only thing that the Congress will gain by accepting the offer will be a few jobs on the Executive Council, but both the British Government and the Muslim League will stand to gain much more. So far as the British Government is concerned, it will be able to prosecute the war with the help of the Congress and in the name of the Indian people—and it will,

thereby, be able to exploit, much more than ever before, the entire resources of India for running the war. So far as the Muslim League is concerned, it will succeed in outwitting the Congress and in reducing the Congress to a permanent minority in the Executive Council. The Muslim League will also succeed in realising its dream of Pakistan with the help of the British Government.

When the British Government once succeeds in achieving its immediate objective—namely, the prosecution of the war through the help of the Congress—it will have no further need for the cooperation of the Congress. The British Government will then kick out the Congress, openly embrace the Muslim League—and bring about the vivisection of India.

In the meantime, the Congress will have humiliated and debased itself and made itself ridiculous in the eyes of the whole world. It will have betrayed its fundamental principles and given a go-by to the goal of Independence. Further, by fighting Britain's Imperialist war, the Congress will have forgotten its revolutionary role, accepting the position that it is not the representative of the Indian masses—but is only one party among many parties in India. Last but not least, by compromising with British Imperialism, the Congress will have forfeited the sympathy of freedom-loving men and women all over the world and will have lost the support of several friendly powers, including Soviet Russia.

Sisters and Brothers! This is what you will lose by accepting Lord Wavell's offer. All that you will gain will be a few jobs in the Viceroy's Executive Council for some ambitious Congressmen.

I shall not tire your patience any further today, but before I close, I shall repeat a few salient points from my talk of yesterday.

Firstly, do not forget what the origin and motive of Lord Wavell's offer is. That motive is to bamboozle you and get half a million Indian troops to fight Britain's war in the Far East—that is, in regions beyond Burma and in the Pacific.

Secondly, if you believe in India's independence, then there is no reason to feel disheartened or discouraged because of the recent military successes of our enemies. India's position in the international field has never been so strong as it is today. By a combination of uncompromising resistance at home, armed struggle in East Asia and diplomacy in the international field—we shall get our Independence by the end of this war. That will be real independence—not self-government within the British Empire—nor Indianisation of the Viceroy's Executive Council.

Thirdly, beware of the new enemy that has appeared in your midst—namely, pessimism and defeatism. The people who fight and shed their blood, do not succumb to defeatism. It is the armchair politicians, and those who have avoided prison, who easily fall victims to pessimism and despondency. Our Azad Hind Fauj has suffered many losses in the recent campaign in Burma, but this has only strengthened our determination to fight to the last man, and to the last round. The major portion of our Army still remains intact and will continue fighting.

Fourthly, in spite of all the propaganda of the Anglo-Americans their military position in East India is not what they have been trying to make out. In Burma, hard and bitter fighting is still going on. And in the rest of East Asia, the Anglo-Americans will have to face prolonged and bitter fighting everywhere.

Fifthly, do not forget our comrades in prison and internment and insist on their release before any negotiations take place. Remember also that the Viceroy has ignored all those who were imprisoned prior to 1942, as well as those who were imprisoned from 1942.

Jai Hind!



22. 'Scrap Wavell's Offer'

Broadcast by Subhas Chandra Bose, Shonan, 21 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India: During the last three days I have been speaking to you from a broader point of view, both national and international, and I have also been considering the Indian problem in its proper setting, that is, against the international background. Judging from the reports reaching us through various news agencies it appears that those who are giving vocal expression to their views today are approaching the Indian problem from a very narrow and short-period point of view. Most of those who view Indian problems from the correct point of view cannot easily make their voice heard outside India, particularly because some of them are now in custody. If Mahatma Gandhi and the members of the Congress Working Committee had insisted on the release of all political prisoners prior to any negotiations with the British Government, then we would have had no cause for anxiety. If the release of all political prisoners had taken place and a full meeting of the All-India Congress Committee had been held, then the opinion of the entire Congress organisation would have made itself heard. But the British Government, cunning as it is, had deliberately kept the rest of the political prisoners in custody and released only the members of the Congress Working Committee, so that the opinion of the entire left wing of the Congress may be effectively muzzled.

I have no doubt in my mind that public opinion in India, and in particular the Congress organisation, has moved much further in a revolutionary direction since the beginning of the present war in 1939. Consequently, if a plenary session of the Congress were held today or even a full meeting of the All-India Congress Committee, Lord Wavell's offer would be rejected by an overwhelming majority. The British Government and Lord Wavell know the Indian situation and they realise that if British offer had been left to the verdict of Congressmen in general or even of All-India Congress Committee then there would not be the slightest chance of its acceptance. They have, therefore, created a situation in which only the members of the Congress Working Committee will decide about Lord Wavell's offer on behalf of the Congress. According to the Congress Constitution, the Working Committee cannot make a final decision on behalf of the Congress on such an all-important issue.

I am, however, prepared to admit that if the Congress Working Committee had represented all sections of the Congress, or if there had been a real emergency, there might have been some moral though not legal, justification for the Congress Working Committee to handle this all-important issue, but it is well known that the left wing of the Congress, which is influential, is not represented on the Working Committee. And nobody can maintain that there is such an emergency in the country that the Working Committee is obliged to make a momentous decision behind the back of the All-India Congress Committee and of the rank and file of the Congress. I can understand that the British Government to achieve its own ends has so maneuvered that Lord Wavell's offer has been placed not before the All-India Congress Committee or a plenary session of the Congress, but only before the Congress Working Committee, but I cannot understand why members of the Working Committee are walking into the trap made by Lord Wavell. Apart from the provision of the Congress constitution, according to which the Working Committee is a mere executive body and not its deliberative or law making body, from the purely moral point of view, it is wrong and unfair for the Working Committee to dispose of such a matter which might affect the future of the Congress and India for several decades. Even at this late hour, I honestly and humbly appeal to Mahatma Gandhi not to make a decision behind the back of the Congress. I make this appeal particularly because by accepting [Lord Wavell's offer] we shall be receding from the fundamental

principles and resolutions of the Congress and we shall be undoing the work and sacrifice of the Congress over a long period.

I shall now say a few words as to what we shall be undoing by accepting Lord Wavell's offer. First and foremost, the goal of the Indian National Congress is complete independence, whereas Lord Wavell's offer scrupulously avoids even mentioning the word 'independence'. Secondly, in 1938-39 the Congress had refused to participate in Britain's imperialist war and the Congress has won much and suffered much because of its anti-war policy. But the fundamental basis of Lord Wavell's offer is that all those who accept the offer will have to pledge themselves to the whole-hearted participation in Britain's war in the Far East, and this war cannot be described by any stretch of imagination as a war for the defence of India. Thirdly, acceptance of the offer will mean the rescission of the 'Quit India' resolution of 1942. After the acceptance of the offer the Congress will have to give up the slogans, 'Liberty or Death' and 'Do or Die', and devise other slogans which will express the ideas embodied in the Lord Wavell's offer.

I should like to know how the Congress be distinguished from the Liberal Federation if it were to give up its fundamental principles and resolutions and accept the present offer? As I have stated in my previous talks, under normal circumstances no Congressmen would have even looked at Lord Wavell's offer, not to speak of giving consideration to it. The only psychological explanation of the present compromising attitude of several Congress leaders is that they probably feel that the Anglo-Americans are going to win the war and that there is no hope of our achieving our Independence. This appreciation of the situation is entirely wrong. In spite of the recent successes of the Anglo-Americans in Europe and Burma, the Indian issue has become a live issue in international affairs. Whatever the ultimate issue of the war in East Asia may be, even the Anglo-Americans have had to admit that the coming campaign in East Asia is going to be a very long and bitter one and that the armed forces of Japan will fight every inch of the ground. Even in Burma, in spite of our recent reverses, bitter fighting is going on in many sections and in several parts of the country. While Japan will go on fighting with all its strength, tenacity and courage of which Japan is capable, Indians in East Asia will continue their fight against the British and their allies. In spite of the recent losses in Burma, the main force of the 'Azad Hind Fauj' remains intact, and the 'Azad Hind Fauj' will go on fighting to the last man and to the last round.

If Indians at home do not give up resistance to British imperialism, nothing can prevent the attainment of India's independence by the end of this war. By a combination of resistance inside India, armed struggle in East Asia and the correct policies in the international field, India will certainly emerge an independent state by the time this war ends. But for the achievement of our liberation, internal resistance has to be guaranteed. Armed struggle in East Asia, I am in a position to guarantee. I can also give this assurance that if resistance to British Imperialism is kept up inside India, then India will remain an international issue, and diplomacy in the international field will be able to help our cause considerably. For the present the British do not have much to worry about trouble inside India, but they are nevertheless afraid of two things. They are afraid that if trouble inside India continues, India will remain an international issue. They are also afraid that if the Indian people remain hostile to British imperialism, it will be impossible for the British to obtain adequate help from India in men and resources for the coming campaign in the Far East. The British know that without India's help in a large measure and in particular without the help of India's man-power they cannot win the war in the Far East. Lord Wavell's offer is calculated to kill two birds in one shot, firstly, it will ensure India's participation in Britain's imperialist war; secondly, it will convert the Indian issue into a domestic issue of the British Empire, and thereby forestall and withdraw all help to India of all countries, including Soviet Russia.

In this connection, I should like to repeat what I said in a statement issued by me on the 19th instant. In that statement, I disclosed information received from very reliable sources to the effect that the origin and the basis behind Lord Wavell's sinister offer was the demand of the British Government that India should supply half a million troops for the coming campaign in East Asia in regions beyond Burma and in the Pacific. If the British Government could have obtained from India that much needed help without the co-operation of the Indian people, Wavell's offer would in all probability not have seen the light of the day. But the British-Indian Army, like the British Army, is war-weary and the British Government and Lord Wavell think that it is now necessary to win public sympathy and enthusiasm in India in order to obtain military aid in so large a measure.

Before the members of the Working Committee decide to accept Lord Wavell's offer they should be prepared to sacrifice half a million Indian lives for Britain's imperialist war in the Far East. I have envisaged what the Congress stands to lose if it were to accept Lord Wavell's offer. Consequently, before deciding to accept the offer, members of the Working Committee will have to calculate carefully what they will gain thereby and whether that gain will compensate in adequate degree what we shall lose. It stands to reason that if what we gain is much less than what we lose, we should reject that offer as we rejected Sir Stafford Cripps' offer in 1942. There may be Congressmen who may think that what we are doing now we shall do in the long run. This view is entirely erroneous. I have already remarked in a previous talk that even if the worst happens and India fails to obtain her freedom during the course of the present war, then we shall have another opportunity as soon as the present war comes to an end.

The change-over from war to peace is generally a period of unrest. During this period of unrest even a victorious power is at a disadvantage because it needs rest and relaxation. That is why the revolutions of Ireland and Turkey after the First World War: revolutions which failed during the war period, after the termination of the war, attained complete success.

On reading a report which is before me today, I find that the Congress President, Maulana Abul Kalam Azad, said: 'If the present negotiations fail, the Congress will wait till the end of the present war before launching a further attempt'. I cannot agree with the Congress President that we should not renew the struggle at home while the war is on, but I agree with him that at the end of the war, if India still happens to be enslaved, Indians again will have another opportunity of launching a large scale offensive against British imperialism, and I have no doubt in mind in that post-war campaign the demobilised members of the present British Indian Army will play a very important role.

Since it is apparent that most of the Indian leaders, who are now freed, are considering Lord Wavell's offer not from the broader but from the very narrow and short-period point of view, I shall now consider what our comparative losses and gains would be if we accept that offer. What Lord Wavell had offered us if we agree wholehearted participation in the coming war in the Far East India is as follows: (i) the promise of self-government, (ii) some jobs in the Viceroy's Executive Council and (iii) the restoration of Congress Ministries in the provinces. All these three things have always been before us. The British Government has always promised us self-government. Secondly, we had eight Ministries under our control in the provinces; in 1939 these we resigned voluntarily. Thirdly, jobs in the Viceroy's Executive Council have already been open to Congressmen, who were prepared to sell themselves. It may be remarked that Wavell's offer gives us more seats in the Executive Council, but as against that there is an expressed stipulation that acceptance of the offer will mean whole-hearted participation in Britain's war. It was not the case when the Congress Ministries resigned in that year of 1939. They could have remained in office after 1939 without giving a pledge of wholehearted participation in the war.

In Britain many people are waxing eloquent over the merits of the offer on the ground that a considerable advance has been made in the Indianisation of the Executive Council. I hope that no Congressman will adopt a similar attitude because what the Congress demands is not Indianisation of the services or of the Executive Council, but the withdrawal from India of the British power, wherein are included the Viceroy, as well as the British Commander-in-Chief. Lord Wavell has in fact made it quite clear that his recent constitutional plan or his offer does not imply any constitutional change. Moreover, the Simla Conference is only an advisory one and it is the Viceroy who will appoint the members of the new Executive Council. It is the Viceroy to whom these members will be responsible and not to the Central Legislature. Moreover, inside the Executive Council the will of the majority will not prevail and the Viceroy will have full powers to veto recommendations or proposals of the Executive Council. There is no question of collective responsibility or majority rule in the Executive Council. The Executive Council cannot, therefore, be called a Cabinet by any stretch of imagination. In the Executive Council the chief position will be held by the British War Member, namely, the Commander-in-Chief. What the War Member will demand the Viceroy will certainly endorse. Consequently, next to the Viceroy the War Member will be all powerful. So long as the Viceroy and the Commander-in-Chief act in concert they will be able to control all the departments. The other Executive Councillors will not be able to object because they will be legally bound by their responsibility to the Viceroy and they will be morally bound by their pledge of wholehearted participation in the War.

The Department of External Affairs to be run by Indian will appear to be an eye-wash because foreign affairs will be excluded from its jurisdiction. The Member in charge of this Department will become like the Indian Defence Member of Viceroy's Executive Council who is in charge of army canteens.

I should like to ask those Congressmen who are today so keen about accepting Lord Wavell's offer, with what face we shall go back to Ministries which we voluntarily gave up in that year of 1939. I should also like to ask why the Congress condemned Mr M.S. Aney and Dr N.B. Khare who accepted jobs in the Viceroy's Executive Council, when the Congress is now going to do so. The more I think, the more am I convinced that incalculable harm will be done to the Congress and to India by accepting this offer. We shall be putting back the clock by at least 25 years. All that we shall gain in return will be a few jobs in the Executive Council for some ambitious Congressmen.

I shall now try to show that if the Congress accepts the offer, the British Government and the Muslim League will profit at the expense of the Congress. It is, I believe, the intention of Lord Wavell to give to the Muslim League all the seats in the Executive Council reserved for the Muslims if the Muslim League makes that demand. Similarly, he will give to the Congress all the seats reserved for Caste Hindus if the Congress insists. The remaining members will be appointed by Lord Wavell according to his own sweet will, and it goes without saying that these members will be completely subservient to him. It follows, therefore, that if the Viceroy can win over to his side either the Congress bloc or the Muslim League bloc in the Executive Council, then he will have a permanent majority to stand by him at all times. I take it that the Congress bloc in the Executive Council cannot and will not consent to a pact with the Viceroy, because if they do so they will be ridiculed by the rank and file of the Congress. But if the Viceroy throws a bait to the Muslim bloc that the British Government will help them to realise their dream of Pakistan, then there is every likelihood of the Muslim League bloc making a pact with the Viceroy. The moment it is done, the Viceroy will have a permanent majority in the Executive Council to stand by him at all times and the Congress bloc will thereby be reduced to a permanent minority body. Nevertheless the Congress bloc will be constrained to maintain their pledge of wholehearted participation in Britain's war by carrying out the Viceroy's war policy. Thus if the offer is accepted the British Government will

profit by prosecuting the war with the help of the Congress and in the name of the Indian people. The Muslim League will benefit by reducing the Congress to a permanent minority in the Executive Council and by realising its dream of Pakistan with the help of the British Government.

I have pointed out what we shall lose by accepting the offer. I shall now say something as to what more we shall lose if the Congress cooperates with the British Government for a period of time. Firstly, the Independence movement, as the freedom mentality of the Indian people, will suffer a serious setback. By fighting Britain's imperialist war the Congress will forget its revolutionary purpose and lose its spirit of militant nationalism. And lastly, by compromising with British imperialists the Congress will forfeit the sympathy of the freedom loving men and women all over the world and will lose the support of several friendly powers including Soviet Russia.

Friends, up to today I have been considering Lord Wavell's offer from the purely political point of view and I have not considered its communal implications. But I shall do so now. By accepting the offer, the Congress will incidentally, though it may be indirectly, accept the principle of communalism in politics. It will acknowledge the Muslim League as the representative of the Indian Muslims, and it will thereby betray all those Muslim organisations like the Azad Muslim League, Jamiat-ul-Ulema, Shia Conference, Majlis-i-Arhar, Proja Party, Muslim Majlis, All-India Momin Party etc. that have been following a nationalist line at very great sacrifice. Moreover, the Congress will be forced to admit that the word 'Congress' is synonymous with the word 'Caste Hindus', and not even only with the word 'Hindus'.

I am making this statement on the supposition that the seats reserved by the Viceroy for the Caste Hindus will be given to the Congress and those reserved for the Muslims will be given to the Muslim League, and that the members from Scheduled Caste will be appointed by the Viceroy himself. Now I would like to put a question to Lord Wavell. Amongst the Muslim members of the Executive Council, will he include outstanding Muslims of the type of Maulana Abul Kalam Azad, who are not members of the Muslim League, and since the vast majority of the Scheduled Caste votes were given to the Congress in the last elections, will the Viceroy leave it to the Congress to put up an Executive Councillor from amongst the Scheduled Castes and not make the selection himself? If he does not do these, then it will be crystal clear that the Viceroy's sinister intention is to reduce the Congress into an organisation of the Caste Hindus. Let somebody apply this solid test to Lord Wavell. The result of this test will then speak for itself.

Whatever the other objections to the Viceroy's offer may be, this single objection, namely the communal implications of it, is enough to condemn that offer and render it totally unacceptable. The Congress is a national institution representing Indians of all religious faiths and it has fought hard and suffered much to maintain the national character. It will commit veritable suicide if at this stage of its career the Congress were to renounce its national character. Likewise it will stultify itself once for all if it gives up its role as a representative of Indian nationalism and accepts the position of one party among many parties in India. I should like to repeat what I said the day before yesterday that if you are determined on bargaining and compromise with the British Government, do not do it before 5th July. The Viceroy would try to get a decision before 5th July. The acceptance will help the Conservative Party considerably at the polls and possibly ensure its return to power. If Lord Wavell succeeds, but the Conservative fail to return to office, he will then be able to prevent the Labour Cabinet's reshuffle of the Indian administration. It is likely that if we do not accept his offer now and the Labour Party comes to power then that party is bound to take up the Indian issue, and if the Conservative Party returns to office, it will also be constrained to make another offer, otherwise India will remain an international issue to the great disadvantage of Britain. But we will get another chance, and a better chance of bargaining after the war. I say

this for the consideration of only those who are really keen for any policy of compromise with Britain, and who are not prepared to stand for complete independence.

In conclusion, let me remind once again as I said yesterday, that in this fateful hour the destiny of India lies in your hands. Therefore carry on a raging and tearing campaign against this sinister offer and see that this offer is consigned to the scrap heap before 5th July, 1945.

Jai Hind!

23. 'A Step Fraught With Danger'

Broadcast by Subhas Chandra Bose, Shonan, 22 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

The latest news reaching us from India is to the effect that the Congress Working Committee decided last night to accept Lord Wavell's invitation to participate in the Simla Conference. To those who are acquainted with the politics of the Indian National Congress this news has not come as a surprise. Referring to the currents inside the Congress Working Committee, the political correspondent of the Associated Press of India has reported as follows:

Opinion among the Congress leaders about the Viceroy's proposals divides itself into three groups. The first party is led by Mr Gandhi and Sardar Vallabhbhai Patel who take strong exception to the use of the term 'Caste Hindus' in the Viceroy's broadcast. The middle group is led by Mr Nehru and Maulana Azad who though not satisfied with the quantum of power contemplated to be transferred, takes the view that the scheme can be given a fair trial as an interim measure provided there is a sufficient possibility of advancing India's demand for national independence and the improvement of the lot of the poor. The third group, led by Mr Rajagopalachari and Mr Bhulabhai Desai, feels that the terms of reference of the Simla Conference are so wide and elastic that all fears of the Congress are groundless. They advocate that the Congress should accept the proposal without picking holes in it and give it an honest trial and thus demonstrate the determination of the Congress to get on with the business.

I cannot judge from this distance if the analysis of the political correspondent of the Associated Press of India is correct or not, but I should not be surprised if it is. In fact this analysis, if correct, confirms what I said yesterday about the political character of the present Congress Working Committee. It appears that the Radical Democratic Party has condemned the Simla Conference on the ground that representatives of Labour have not been invited to that conference. I should have expressed that idea in a quite different way. It is the deliberate exclusion of the exponents of radical political thought in India—not only from the Simla Conference—that is objectionable. I can understand the policy and attitude of Lord Wavell. He knows that the Simla Conference would meet with shipwreck if the representatives of radical opinion in India were invited.

But I fail to understand why, in considering such a highly controversial matter in which opinion inside the Congress is sharply divided, representatives of the left were excluded. If Sri Rajagopalachari who is an exponent of what is practically a policy of unconditional cooperation with the British Government could be invited to the Working Committee it is, to say the least, unfair to exclude the representatives of the Left. Nobody can challenge the fact that there is a large and influential section within the Congress that is definitely opposed to the policy of participation in Britain's war and of whittling down India's national demand for Independence. Judging from the analysis of the political correspondent of the Associated Press of India, the opinion of this section was not advocated by any member of the Congress Working Committee.

It may be argued that by accepting the invitation to the Simla Conference, the Working Committee has not committed itself in any way, but this argument cannot hold water. The Simla Conference will have to restrict its discussion within the four corners of Lord Wavell's offer. Everybody who attends this conference will have to accept the policy of wholehearted participation in the coming campaign in East Asia and will have to repudiate the policy whereunder the Congress Ministers resigned office in 1939. Moreover, everybody attending this conference will have to accept the present constitutional position of the Viceroy and Governor-General and of his Executive Council and he can, at most, discuss the composition of the Executive Council barring the post of the War Member. Lord Wavell has left no room for ambiguity and has made it quite clear that under the existing constitution it is he who will appoint the members of the Executive Council, that the members of the Executive Council will be responsible not to the legislature but to him, and that there is no question of 'Majority Rule' or 'Collective Responsibility' in the Executive Council. Consequently, everybody who attends the Simla Conference will have to give up the demand for Independence to which there is no reference at all in Lord Wavell's offer. He will have to give up also the immediate demand for a National Government at the centre responsible to the Legislature, and will have to content himself with partial Indianisation of the Executive Council. Accordingly there can be no doubt whatsoever that acceptance of the invitation to the Simla Conference automatically implies giving up of the fundamental principles and resolutions of the Indian National Congress—including the 'Quit India' resolution for which so many of our colleagues and comrades are still rotting in prison. Moreover, it is regrettable and painful that not a single member of the Congress Working Committee has put forward the demand for the release of all political prisoners prior to negotiations with the British Government, although many of them have issued statements dealing with the less important points in Lord Wavell's offer.

I said in my talk yesterday that the Working Committee is an executive body and is not constitutionally empowered to decide questions which involve the fundamental principles and policy of the Congress. Since the Working Committee does not represent all sections within the Congress and since there is no real emergency inside the country there is no moral—not to speak of legal—justification for the Working Committee to deliberate on such vital questions behind the back of the All India Congress Committee and the Congress. There is also no justification for the Working Committee to accept on its own responsibility the invitation to the Simla Conference which means going back on the fundamental principles and resolutions of the Congress. I beg and implore Mahatma Gandhi and the Working Committee even at this late hour to pause and to ponder over the grave responsibility which they are taking upon themselves by ignoring the All India Congress Committee and the Congress on a such momentous occasion.

I fail to understand why the Working Committee should act with such unseemly haste. That Lord Wavell and the British Government are in a hurry, I can understand. They are acting under three motives. Firstly, they guess that the Indian people have been overawed by the recent military successes of the Anglo-Americans and that the Indian people are inclined to feel that the Anglo-Americans are bound to win this war. Lord Wavell and the British Government must exploit this psychological moment and strike while the iron is hot. They are afraid that after a few months the whole world may realise that in spite of the collapse of Germany, the overthrow of Japan in the Far East is not an easy proposition. Secondly, Lord Wavell and the British Government must somehow bamboozle the Indian leaders and secure half a million Indian troops and necessary supplies for Britain's imperialist war in the Far East. Thirdly, Lord Wavell and the British Government must come to some agreement with the Indian leaders before 5th July.

All these three motives afford sufficient explanation why Lord Wavell and the British Government are in a beastly hurry. But that is no reason why the Congress Working Committee should walk into their trap.

In this connection, I should like to repeat what I said previously as to why Lord Wavell will move earth and heaven in order to come to an agreement with the Indian leaders before 5th July. Though the Labour Party had agreed to the terms of Lord Wavell's offer, the initiative and responsibility for that offer rests with the Conservative Party. If Lord Wavell succeeds in arriving at an agreement with the Indian leaders, it will be an achievement for the Conservative Party and will help to swell the votes for the Conservative Party's candidates at the polls and thereby help the return of that party to power. If in spite of Lord Wavell's success the Conservative Party fails to secure a majority and if the Labour Party is installed in office, the Conservative Party will, at least, be able to prevent the reopening of the Indian issue by the Labour Cabinet. If Lord Wavell fails, his failure—which will be the Conservative Party's—will help the Labour Party at the polls and will, in all probability, lead to the instalment of the Labour Cabinet in office. The Labour Cabinet will then have to take up the Indian issue again, because in the domain of foreign affairs, the Labour Cabinet must justify itself by achieving something which the Conservative Cabinet failed to do. If Lord Wavell fails and in spite of that, the Conservative Party returns to power, it will be forced to reopen the Indian issue. If the Conservative Party does not do that, and if the deadlock in India continues, then India will remain an international issue and the Indian issue will surely be brought up before the international conferences in future—including the peace conference when it is held. Now I want my countrymen to understand that the Conservative Party will do everything possible to prevent the Indian issue being brought up before the international conferences. Consequently, there is no doubt that if Lord Wavell's offer is turned down by us at this stage, there will be another opportunity for bargaining with the British Government after a time—no matter which party is seen as the majority on 5th July. The fact that a long and bitter campaign in the Far East lies ahead of the British Government is an additional guarantee that Britain will have to placate India.

I want to make it clear that for us there is no question of bargaining when our demand is that the British quit India. But since there are so many Indians at home who are thinking only in terms of a compromise with British Imperialism, it is their duty to consider when and how to make the best bargain. On this point I am quite sure that the best time for bargaining is after 5th July. And though there is no possibility of the Labour Party recognising India's Independence, it will be possible to strike a better bargain with the Party. A compromise with the British Government on the basis of Lord Wavell's offer would be justified only under two conditions. Firstly, if there had been no chance of winning independence and secondly, if this had been the last chance for arriving at a compromise with the British Government. As to the first condition, I may say that in spite of the recent success of the Anglo-Americans, India has now a better chance of achieving her independence than ever before. As to the second condition, I have already said that no matter which party in Britain is called up to form a Cabinet, India will get another chance—and a better chance—of bargaining with the British Government after 5th July.

In my view there are three factors whose cumulative effect will help India to win her independence by the end of this war: firstly, resistance to British imperialism inside India; secondly, armed struggle against the British outside India; and, thirdly, diplomacy in the international field. If resistance—even moral resistance—is kept up inside India, then India will remain an international issue and diplomacy in the international field in support of India's independence will have much scope as well as chance of success. So far as armed struggle is concerned, since—in spite of our recent reverses in Burma—the main force of the Azad Hind Fauj remains intact, we shall continue

fighting and we shall fight to the last man and to the last round. We in East Asia can take a much more objective view of the world situation than our countrymen at home who are influenced too much by skillful enemy propaganda, and are inclined to hold an exaggerated view of the strength of the Anglo-American power. If our countrymen at home believe in our sincerity and patriotism, they should accept our analysis of the world situation and shape the policy of the Congress in accordance with it.

Those Congressmen who are thinking of accepting Lord Wavell's offer should look ahead and prepare themselves for the day when they will have to provide half a million Indian troops as cannon-fodder for Britain's imperialistic war in East Asia. They will have to prepare themselves for fighting their own countrymen in the Azad Hind Fauj who are prepared to fight the British and their allies wherever they happen to meet them. Even if these Congressmen will not hesitate to take up arms against the Azad Hind Fauj, they should at least hesitate to provide half a million Indian lives as cannon-fodder for the perpetuation of the British Empire.

To those who doubt if India can achieve her Independence by the end of this war, I should like to say that India will, in any case, get another opportunity for striking for her freedom as soon as the war ends. As I have said before, the changeover from war to peace is a period of unrest when every victorious power looks forward to rest and relaxation. Because of this, revolutions—as in Ireland and Turkey—which failed during a war, met with success after the enemy emerged victorious from the war. In India too, during the First World War, the revolutionary movement was easily crushed. But the movement which sprang up under Mahatma Gandhi's leadership after Britain's victory in that war proved to be irrepressible. Looking ahead I can see clearly that if India fails to achieve her Independence before the end of this war, there is bound to be a revolution in India when peace comes. For India peace will mean the demobilisation of an army which, according to British reports, is now 2½ million strong. This army, which is now providing cannon-fodder for the British, will, if the need arises, provide the soldiers for India's post-war revolution.

The Congress Working Committee, under Mahatma Gandhi's advice has already taken a step which is fraught with danger. The danger lies in the possibility that the Viceroy, in cooperation with Mr Jinnah, may completely outwit the Congress representatives who seem to be very anxious for a compromise. Frankly speaking my hope lies chiefly in Mahatma Gandhi. On several occasions in the past—though not on all occasions—he has risen superior to his political opponents in diplomacy. On several occasions he has retrieved a difficult situation, throwing the onus of blame on his opponents. I hope and pray that on this occasion too he may save India from an impending tragedy.

As I said yesterday, Lord Wavell's own plan is to hold the balance of power by giving an equal number of seats to the Congress (that is, the Caste Hindu seats) and the Muslim League. The remaining members of the Executive Council will be the Viceroy's own nominees and they will vote according to his bidding. What is more, the Viceroy will endeavour to enter into a pact with Mr Jinnah saying in effect that if the Muslim League cooperates with him the British Government will help the Muslim League to realise its plan of Pakistan. If he succeeds in this, then he will be able to secure a permanent majority in the Executive Council to stand by him at all times and he will be able to reduce the Congress to a permanent minority in that body. And he will also achieve another purpose—namely make the Congress co-terminous with a Caste Hindu organisation.

Apart from consideration of principle, the Working Committee has committed a blunder in accepting the invitation without first clarifying several knotty problems. Indians all over the world will wait with bated breath to see if Mahatma Gandhi is going to be outwitted by Lord Wavell and Mr Jinnah or if he is going to get the better of him. If I may be permitted to make a suggestion, Mahatma Gandhi should at the very outset, bring the discussion to a higher plane by laying down

the proposition that the problem for the Indian people is not as to how many seats Hindus or Muslims or Sikhs or others will have. The problem for them is as to who the men are who will get those seats. The Congress knows no distinction between Indian and Indian on the basis of religion. For instance, for the Congress, there can be no objection to giving a majority of seats—or even all the seats—to Muslims, provided they are nationalists in whose hands the destiny of India will be safe. On the other hand, the Congress will refuse to give a single seat to a Hindu simply because he is a Hindu if he is untrustworthy and unpatriotic.

I find that some of my countrymen have been very loud in advertising the sincerity of Lord Wavell, meaning thereby that he is a sincere friend of India. Lord Wavell, no doubt, is sincere only to his own people. With regard to India I should like to say without any hypocritical quibbling that as long as he remains the head of the Government of India, he is our arch enemy—India's public enemy number one. As a patriotic Englishman and an imperialist, he will try to get as much as he can for his country giving as little as possible to India. In accordance with the tradition of British diplomacy, he will—under the instructions of his master—resort to every possible subterfuge for achieving his ends.

If anybody holds the view that I am wrong and unfair in my estimate of Lord Wavell, I should invite him to apply a test. Since there are innumerable Indian Muslims who have outstanding ability, character and public following but who are not members of the Muslim League, will Lord Wavell agree to some of them being given some of the seats earmarked for Muslims in the Executive Council? Since it was demonstrated at the last elections held in 1937 that the vast majority of the Scheduled Castes voters voted for the Congress, will Lord Wavell agree to the Congress selecting the member or members for the Scheduled Castes for whom seats have been earmarked in the Executive Council? If the Viceroy does not agree to these points, it will be clear that his object is to so manoeuvre that the Congress bloc in the Executive Council will become a standing minority and that he will have a permanent majority with the help of the Muslim League bloc and the other non-Congress members appointed by him.

It should be apparent to everybody—whether he be a member of the Congress or not—that in nominating representatives on any public body or on any Governmental administration, the Congress cannot select its nominees from among Caste Hindus only but has to select them from members of all religious faiths. In the present case, if the selection of a member or members of the Executive Council from the Scheduled Castes is left to the Viceroy and if the selection of members from among Muslims is left to the Muslim League, the Congress will be in an additional difficulty because, according to the Viceroy's plan the Congress will then be forced to put forward only such nominees as are Caste Hindus. Thus there is a very great danger that the Viceroy and Mr Jinnah may succeed in so maneuvering, that in the Executive Council the word Congress will become synonymous with Caste Hindus.

I have already remarked that acceptance of Lord Wavell's offer will mean giving up the fundamental principles and resolutions of the Congress. In addition to this, it may also come to this that the Congress will have to give up its national character and its position as the representative of the Indian masses and become one party among many parties in the country. This will be nothing short of political suicide for the Congress.

Along with millions of my countrymen all over the world, I hope and pray that Mahatma Gandhi, Maulana Abul Kalam Azad and other Congress representatives at the Simla Conference will extricate themselves from an exceedingly difficult and embarrassing position and save the Congress and the country from impending disaster.

Though the representatives of the Left Wing of the Congress are mostly behind prison bars and cannot make their voice heard, there are many others inside the Congress and outside who

are in a position to do something. I hope and trust they will carry on a country-wide agitation against Lord Wavell's offer but I hope and I trust also they will not view the problem from a narrow point of view and will conduct the campaign from a higher political and national plane. If the real opinion of the Indian people asserts itself in time I have no doubt that it will rise like a wave and sweep away this latest menace to India's freedom—Lord Wavell's offer and the Simla Conference.

Jai Hind!

24. 'Working Committee Acting with Indecent Haste'

Broadcast by Subhas Chandra Bose, Shonan, 23 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

Yesterday, I told you that in my view it was wrong according to the Congress Constitution and also morally unfair for the Congress Working Committee which was an executive body to exceed its powers and make decisions on behalf of the All India Congress Committee or the Congress. I should have added that it was also unwise and impolitic for the Working Committee to do so. To an observer it appeared as if the Working Committee was acting with indecent haste. I feel constrained to say that, as compared with Mahatma Gandhi and the Working Committee, Mr Jinnah acted wisely and cautiously. He declared, according to the reports before me, that he would not advise the representatives of the Muslim League to attend the Simla Conference until after his interview with Lord Wavell on the 24th. Whatever Mr Jinnah's inner motives might have been, he did not show any anxiety to jump at the offer made by Lord Wavell. Mr Jinnah took another prudent and politic step in asking Lord Wavell to postpone the Conference. I feel that if the Congress Working Committee had also asked for and insisted on the postponement of the Simla Conference, then Lord Wavell's hands would have been forced. However, it is good news that the Congress Working Committee has decided to meet after the Simla Conference to make a final decision. It would have been another unwise step if some of the members of the Working Committee had proceeded to Simla in order to be available for giving necessary advice to Mahatma Gandhi and other Congress representatives at Simla. If this had been done, it would have shown excessive and even indecent eagerness on the part of the Working Committee to grab at the British offer.

Now that some time had been gained, I hope that before the final decision is taken on behalf of the Congress, a meeting of the All India Congress Committee will be summoned. There should be no objection on the ground that several members of the All India Congress Committee are in prison. If Mahatma Gandhi and the Working Committee insist on it, then the Viceroy will have to order their release, for he cannot afford to break with the Congress on this point. If he were to refuse to release members of the All India Congress Committee his bonafides would then be open to question.

By urging that the All India Congress Committee should be summoned in order to consider Lord Wavell's offer, I do not suggest that that body, as at present constituted, is representative of nationalist opinion in India. Owing to the disciplinary action taken by the Supreme Executive of the Congress against those members of the All India Congress Committee who were agitating for an active anti-war policy, even the All India Congress Committee has, to some extent, lost its representative character. Was it not unfair and ridiculous for the Congress High Command to take disciplinary action against those patriots who were insisting on a struggle with British imperialism and, on the other hand, let off scot-free those Congressmen—like Sri Rajagopalachari—who were

consistently advocating in public a policy virtually amounting to unconditional cooperation with the British Government? Was it not also unfair and ridiculous to leave in influential positions, for example, the leadership of the Congress party in the Assembly, to Congressmen like Sri Bhulabhai Desai, who did not do their duty in the last Civil Disobedience campaign? Be that as it may, why I insist that the All India Congress Committee—and not the Congress Working Committee—should decide that all important question is not because the former is fully representative of nationalist opinion in India today, but because it will be at least constitutionally correct and proper. It will, of course, be the best thing to call a plenary session of the Congress because the issue involved is one which affects the fundamental principles and resolutions of the Congress—and in particular the Congress goal of complete independence.

I have already said that unless Mahatma Gandhi is exceedingly careful, he might be maneuvered by the Viceroy and Mr Jinnah into a position in which the Congress will nominate members of the Executive Council for only those seats which have been reserved by the Viceroy for the Caste Hindus. In other words, there is every danger that Mahatma Gandhi might be maneuvered into a position in which he will be indirectly admitting that the word Congress is synonymous with the word Caste Hindu. That would be the political death of the Indian National Congress from which it will be impossible for the Congress to retrieve itself. This danger could be avoided if the Congress representatives to the Simla Conference submit a panel of names concerning all the seats barring that of the Commander-in-Chief. Will the Congress representatives do so? I am glad to find that the Working Committee has been thinking along these lines. But it is not enough to think. The Congress representatives will have to insist that the Viceroy gives up altogether the religious and communal basis for the composition of the Executive Council and adopts a political and national basis instead. I anticipate that besides the Viceroy, Mr Jinnah too may not agree to this. But let us not forget what the credentials of Mr Jinnah are. I have always been of the view that as in a peace conference so also in a political Round table conference, it is only the belligerent parties who are entitled to participate. That the British have now agreed to the partial Indianisation of the Executive Council as a stepping stone to other far-reaching changes is not because of Mr Jinnah and the Muslim League, but because of the Congress which has fought the British Government with all the means at its disposal. At the time of Round Table Conference in 1931, I pointed out that it was only the Congress and all those who fought with the Congress who were entitled to represent India at the Round Table Conference held in London. I reminded my countrymen on that occasion that in Ireland where the British Prime Minister Mr Lloyd George wanted to outmaneuver the Sinn Fein Party¹ by summoning a National Convention representing all Irish parties, the Sinn Fein Party refused to attend that Convention because that Convention did not represent Ireland. The Sinn Fein Party continued its fight and the day ultimately arrived when the British were forced to hold a Round Table Conference with only the representatives of the Sinn Fein Party. In our case, we should never forget that it is only those who have fought the British Government who are entitled to speak for India and represent India at a Round Table Conference with the representatives of Britain. After all the importance of the Muslim League is due largely to the fact that it has the backing of the British Government. By giving undue importance to the Muslim League the Congress is betraying its own friends in such nationalist organisations as the Jamiat-ul-Ulema, Majlis-i-Ahrar, Khudai Khidmatgar, Azad Muslim League, Shia Conference, Proja Party, All India Momin Party, etc. in addition to a large and influential section of Muslims in the Indian National Congress, who have stood for national independence at very great sacrifice.

From reports coming from India it appears that opposition to Lord Wavell's offer has been voiced from several platforms. Unfortunately this opposition is not being pooled together. In 1940 when there was a danger that the Congress was drifting towards a compromise with British

Imperialism, we held an All India anti-Compromise Conference at Ramgarh in order to rally all the radical elements in India's public life. A similar conference should be held now and without delay. It would be highly beneficial if an All India anti-Wavell Conference could be held now to voice organised and combined opposition to Lord Wavell's offer. On behalf of this conference, meetings should be held all over India on a particular day to give expression to India's real opinion about Lord Wavell's offer. It would be a good idea to celebrate an All India anti-Wavell Day on 5th July next when the general election in England will be held.

Here in East Asia we are going to have celebration on 4th July next. 4th July is known in the world as the Day of American Independence. In East Asia it is the day on which Indian Independence Movement in East Asia was infused with a new life and commenced a new phase in its career. The celebration on 4th July all over East Asia wherever there are Indians will be in the nature of a referendum. We should call upon Indians in East Asia on that day to give their verdict on Lord Wavell's offer and if that verdict be one of condemnation, to renew their pledge to continue the armed struggle for India's freedom under all circumstances, even if the Congress Working Committee were to accept Lord Wavell's offer.

Sisters and Brothers at Home! I shall now close for the day. On Monday the 25th I shall address a special talk for the revolutionaries in India giving my suggestions as to what they should do in the event of Congress Working Committee accepting Lord Wavell's offer. Viceroy may come and Viceroy may go but India will live and India's fight for freedom will succeed.

Jai Hind!

¹ Sinn Fein was an Irish nationalistic movement that literally means 'Ourselves alone'. It originated in the beginning of 20th century and grew rapidly after suppression of 'Easter Rising' in Dublin in 1916. It reached its peak during the Irish Civil War of 1920-21. Even after the establishment of Irish Free State, and despite the disunity that crept into it, Sinn Fein militancy continued to exercise considerable influence in both south and north of Ireland.

25. 'The Fight Must Go On'

Substance of a speech delivered by Subhas Chandra Bose at a public meeting at Shonan on 24 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510 and File No. 16/INA/7510, NAI.

Friends,

After nearly six months I stand before you again to speak to you on the present situation and our future task. I am sorry that I cannot bring you good news from Burma. After our failure to take Imphal last year the enemy was able to advance into Burma. While the main force of the enemy was held up by the forces of the Japanese army and the Indian National Army, advanced mechanised units (consisting of tanks, armoured cars, etc.) of the enemy were able to break through our defences and threaten our Headquarters. We had to decide whether we should keep our headquarters there, in spite of the approach of the enemy's mechanised units, or withdraw to a safe place. It was not easy for us to withdraw from the danger zone in Rangoon leaving our comrades of the Azad Hind Fauj fighting at the front. But after very careful consideration, the Ministers of the Provisional Government of Azad Hind Fauj unanimously decided that owing to certain reasons we should withdraw to a safe place. After we left Rangoon, it was still possible for us to keep our Headquarters in Burma, as the Burma Government, the Government of Adipadi Dr Ba Maw¹ did, but that was also not considered advisable, in the interest of India. The present position in Burma is that fighting is going on in all parts of the country—in Shan States, in the Toungoo area near Pegu, near Prome

and in the Arakans. The main force of the enemy is still being held up and nobody can say how long the fight will go on, or when the enemy will succeed in capturing Burma. Though the strength of the Azad Hind Fauj is small, compared to the Japanese Army, our comrades of the Azad Hind Fauj are fighting on under very difficult conditions.

Our heart is with our comrades who are now fighting in Burma but we had to withdraw our Headquarters from Burma, leaving our army in charge of the newly organised Burma Command of which Major General Loganathan is the Commander with Lt Col Arshad as his Chief of Staff. The Provisional Government had to withdraw its Headquarters from Burma in order to organise our forces outside Burma and continue the fight on other fronts. If we had no other force outside Burma, then, in all probability, we should have remained with our comrades in Burma and fought to the last, facing any situation that would arise thereafter. There was another reason which persuaded us to withdraw our Headquarters from Burma. It was clear to us that after the recent military successes, the enemy would launch a new military and political offensive on other fronts and it was necessary for us to prepare in time for that offensive and meet it when it was launched.

Our misfortune was that the crisis in Burma came almost simultaneously with the crisis in Europe. The enemy took full advantage of it and immediately launched a political offensive directed towards India. That political offensive was Lord Wavell's offer.

The motives behind Lord Wavell's offer was principally two in number—firstly, to extract help from India for the future war in East Asia and, secondly, to reach a compromise with the Indian people and thereby make India a domestic issue of the British Empire.

The British had to produce men, money and materials to help America in the future war against Japan, but the British Army, and also the British Indian Army, is war-weary and does not want to face a long campaign in the Far East, under conditions much more difficult than in Europe. Therefore, the required cannon-fodder could be produced only from India. But unless the sympathy of the Indian people was mobilised and their enthusiasm roused, the British could never obtain from India the manpower they needed for the future war in East Asia. The other motive behind Lord Wavell's offer was to make India a domestic issue of the British Empire and thereby prevent friendly foreign powers from intervening on behalf of India's independence. The Allied Powers had talked so much about Freedom and Democracy for all nations that the suppressed nations of the world had begun to take full advantage of it in working for their own independence. Syria and Lebanon are examples of this.

The remarks made by the Soviet Foreign Minister Hon. Molotov, at the San Francisco Conference, challenging the credentials of the Indian representatives and his statement that the day was not far off when the voice of Free India would be heard in the world, came as a warning to Britain. The British Government realised that if there was no compromise with the Indian people, India would remain an international issue and it would be open to friendly foreign powers to intercede on behalf of India's independence, even if the Indian people did not take up arms against the British Government. If you want to understand Britain's future moves in India, you have only to remember that Britain is determined to prevent friendly foreign powers from espousing the cause of India's independence. Our policy should, therefore, be to prevent the British from making India a domestic issue of the British Empire by preventing any understanding between India and Britain which is not on the basis of India's complete independence. Several years before the outbreak of this World War, when the League of Nations was in existence, the Late Vithalbhai Patel and I went to Germany with the object of bringing India's demand for independence before the League of Nations. At that time, we failed because no member of League of Nations wanted to offend Britain by advocating India's independence before that body. But conditions have changed considerably since then, and now there is a better chance of bringing India's case for independence

before the bar of world opinion. The fact that Japan and other eight friendly powers have recognised India's independence by formally recognising the Provisional Government of Azad Hind has strengthened India's position considerably before the whole world.

Before I deal with Lord Wavell's offer I want to say something about the world situation. As I predicted six months ago, the collapse of Germany has brought about an acute conflict between the Soviet and the Anglo-Americans. At the present moment, they have patched up their differences in Europe, but that is only superficial and is a preparation for a real show-down in Asia. Moreover, in spite of the differences temporarily patched up, the fundamental difference between the two sides still remain, and they are irreconcilable. The result of the German collapse has been that Soviet Power and its influence in Europe has increased very much more than that of the Anglo-American powers.

America is now concentrating on the war against Japan and is demanding adequate support from Britain. In my personal opinion, in a future war in East Asia, two main battles will be fought—one in the mainland of Japan and the other in China. I cannot say at the present moment, which battle will come up first, but I know this that Japan is fully prepared for both these main battles. I know also that in every part of East Asia, the armed forces of Japan are organised on a self-sufficient basis. Consequently, if there is a setback in one theatre of war, that will not affect the fighting strength of Japan's armed forces in another theatre.

The Anglo-Americans know fully well that a long and bitter struggle is ahead of them. In this connection, it is interesting to note what a distinguished British Commander, General Slim of the British 14th Army, who fought in Burma recently, said the other day in an interview in England. He remarked that though many nations talk of fighting to the last, there is only one nation that actually does so, and that is Japan. While Japan will go on fighting under all circumstances, we also will do the same for the sake of India's independence and the Azad Hind Fauj will fight to the last man and to the last round.

In my personal opinion, the coming conference between Marshal Stalin, President Truman and Prime Minister Churchill will deal with the problem of East Asia and primarily with the problem of China. In view of the present unfriendly relations between Chungking and Yen² and in view of America's ambitions in China, I do not see how these three powers can come to an agreement about China. I am of the opinion that it is much easier for the Yen Government to come to an agreement with Nanking³ than with Chungking. So long as Chungking is dominated by America, I do not see how the unification of China will be possible. So far as Japan is concerned, her new policy in China and her promise to withdraw troops from China on the termination of hostilities have made it clear that Japan will welcome the unification of China, and her only interest is to see that Anglo-American power and influence are kept out of China. Every Indian has only good will towards China and wants to see a strong and unified China progressing along the lines laid down by China's great leader, Dr Sun Yat Sen. A free Asia is not possible without a Free China and Free India. In spite of our recent reverses in Burma, our optimism and our confidence in our final victory remain unimpaired. India's independence will be accomplished by the end of this war because of three principal factors: firstly, our armed struggle in East Asia, secondly, diplomacy in the international field, thirdly, resistance inside India. It goes without saying that greater the resistance inside India, the easier will it be for us to win our independence. But even if resistance inside India is only moral in character, India will remain an international issue and there will be scope for diplomacy in the international field.

The most important problem for us is to continue the armed struggle against the British in East Asia. This will have a twofold effect. That will influence India and it will help to purge our countrymen at home of the defeatist mentality which is the result of successful enemy propaganda.

Secondly, it will keep the Indian issue alive before the world and enable us to secure the support of friendly powers. To continue the armed struggle, we must keep up our confidence in our final victory. In this connection, I want to refer to what the Allied Supreme Commander in the last world war—Marshal Foch—wrote in his memoir. Talking of victory and defeat, Marshal Foch said: ‘That enemy is beaten which considers itself to be beaten. So long as an army does not consider itself to be beaten, defeat in any particular area does not mean real defeat’. The British—for example, were expelled from Burma in 1942, but they have managed to re-enter Burma. Who can say that we shall not recapture in Burma what we lost? When we were withdrawing from Burma, I reminded my comrades of the above remark of Marshal Foch and I pointed out that we were not beaten by any means, because not one of us felt that he was beaten—or that the battle was lost. A true revolutionary is one who never acknowledges defeat—who never feels depressed or disheartened. A true revolutionary believes in the injustice of his cause and is confident that that course is bound to prevail in the long run.

Though we lost the first round in the battle of Burma, I find that we have been able to influence even the enemy. After entering Burma, the enemy was able to see and hear something of the work of the Provisional Government of Azad Hind and of the Azad Hind Fauj. Previously, the enemy always used to refer to us as the ‘Japanese Puppet Army’. After entering Burma, they began to call us the ‘Japanese-inspired Indian National Army’. But now they refer to us as the ‘Indian National Army’. When the British took Mandalay they issued an order that no Indian was to use the greeting ‘Jai Hind’ which, as you know, means ‘Victory to India’. The result of this order was that boys and girls of our ‘Bal Sena’ in Mandalay came out in the streets and greeted British officers with ‘Jai Hind’. My point is that if we go on fighting bravely and shedding our blood we shall not only be able to influence our countrymen who are indifferent and lukewarm, but we shall also be able to impress the enemy.

I shall now come back to Lord Wavell’s offer. That offer contains three principal points—firstly, a promise of self-government within the British Empire, secondly, more seats on the Viceroy’s Executive Council and, thirdly, restoration of the Ministries in the provinces. There is nothing in this offer and under normal circumstances, not a single Congressman would have even looked at that offer. Firstly, the British have been always promising self-government. Secondly, since the members of the Viceroy’s Executive Council are responsible to the Viceroy and nobody else, ‘more seats’ on that council do not mean any advance towards Independence. Moreover, the Viceroy may be able to make the Indian people quarrel over the formation and composition of the Executive Council. Furthermore, the Viceroy will have the power of veto and he will be able to turn down any decision of the Executive Council even if it is unanimous. In short, the Viceroy’s Executive Council is not a cabinet but an advisory body, power remaining at the hands of the Viceroy. Thirdly, the restoration of Ministries in the provinces has no importance because the Congress Ministries in eight provinces voluntarily resigned in 1939, since they were opposed to participation in Britain’s war.

Unfortunately for us, the Indian leaders who are now outside prison have been so overawed by the recent military successes of the Anglo-Americans that they have developed a defeatist mentality. That is why Mahatma Gandhi and the Congress Working Committee have decided to attend the Viceroy’s Conference at Simla on the 25th, when Lord Wavell’s offer will be discussed. We are now doing what is possible to persuade our countrymen at home not to accept Lord Wavell’s offer and thereby make the Simla Conference a failure. If we fail in this, and if the Congress accepts the offer and enters the Viceroy’s Executive Council, we shall then try to create a situation inside India whereby the Congress will be forced to resign from the Executive Council.

We are determined to prevent a compromise between India and Britain, so that India may remain an international issue and so that we may be able to work for the complete independence of India.

Our task in East Asia is a twofold one: firstly, to continue the armed struggle which we launched on 4 February, 1944 and, secondly to agitate for India's independence in international field and to utilise every conflict within the camp of the so called United Nations and, in particular, the conflict between the Soviet and the Anglo-Americans.

For our fight in East Asia, Malaya is our base. So long as the British are kept out of Malaya, our work for India's independence will continue uninterrupted. Therefore, if at any time the British try to land in Malaya, we shall fight with all the strength that we have.

When the history of the Indian independence is finally written, Indians in Malaya will have a glorious place in that history. The contribution of Indians in Malaya for India's struggle for freedom in men, money and materials, has been great and India will always remain grateful for the same. In particular, Malaya has been the birth place of the Azad Hind Fauj and of the Provisional Government of Azad Hind. Malaya has contributed a large number of young men who have fought bravely and died for India's freedom. And Malaya has made the largest contribution to the ranks of the Rani of Jhansi Regiment.

Indians in Malaya must maintain the brilliant record that they have already set up. It is from Malaya that the call for total mobilisation first went out. Today, I want to appeal to you for more men, more money and more materials. After our recent reverses in Burma, your responsibility has become greater. Knowing what you have done in the past, I have no doubt that you will do even more in the future. I only want you to keep up your faith in the justice of our cause. So long as you keep up this faith, you will also keep up your optimism and your confidence in the final victory.

Jai Hind!

¹ Dr Ba Maw was Burma's first premier (under the British after separation from India); Head of Government and of State under the Japanese from 1942 to 1945. Arrested by British for opposing war, he was released by the invading Japanese Army in August 1942 and was made leader of the government. He held the title 'adipati ashin minkyi' (of pre-colonial monarchical allusions). He fled to Japan with the retreating Japanese Army when British returned in 1945.

² Yen-an (also called Yanan) is in northern Shaanxi province of China and had been the headquarters of Chinese Communist Party from 1937 to 1947.

³ Nanking (also called Nanjing) is on the south bank of Yangtze river. It served as capital of Chiang Kai-Shek of Kuomintang. However, Nanking was occupied by Japan in July 1937 and remained in its occupation until the defeat of Japan in 1945.

26. 'Revolutionaries Not to Rush for Compromise'

Broadcast by Subhas Chandra Bose, addressed to the Revolutionaries in India, Shonan, 25 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Comrades!

Today I am addressing you as a revolutionary, speaking to fellow revolutionaries, as I would have done, if I had been in your midst. India is now facing a political crisis and if a wrong step is taken we might suffer a set-back in our march towards Independence. I cannot tell you how worried I feel today because, on the one hand, Independence is within sight—while, on the other hand, if a wrong step is taken, that independence may recede into the distance.

At the outset, let me tell you that enemy propaganda in India has been so successful that influential sections of our countrymen who, only three years ago, were convinced that independence was within grasp, and who were determined to 'Do or Die' in order to win that independence are now thinking in terms of Indianisation of the Viceroy's Executive Council. We who are outside India at this critical juncture can take a much more objective view of the entire world situation than many of our countrymen at home. It is, therefore, our duty to tell you frankly what we think and to advise you accordingly.

After we withdrew our Headquarters from Rangoon, it was open to us to move to another place inside Burma—just as the Government of Independent Burma did—on the ground that our troops were still fighting inside Burma. But we instinctively felt that the enemy would immediately exploit his recent military successes in Europe and in Burma and launch a new political and military offensive. Consequently, we should be ready to meet that offensive and we should be at a place from where we could speak to India, if necessary. That is the principal reason why I am in Shonan, or Singapore, today.

The crisis that faces India today has arisen because some influential sections among it find it difficult to form an objective opinion of the entire world situation. Today, the whole world is the melting pot and India's destiny is bound up, to some extent, with what is happening all over the world.

Now, why I am so optimistic at a time when some of our prominent leaders have developed such a defeatist mentality? It is because of two principal reasons. Firstly, we are carrying on an armed struggle against the British and their allies, and we are not pessimistic about the situation in East Asia, in spite of our recent reverses in Burma. Secondly, India has become an international issue and that issue is not converted into a domestic issue of the British Empire, India's case will come up before the bar of world opinion. Can't you see with your own eyes or hear with your own ears how Syria and Lebanon are exploiting the world situation to their advantage by creating a split within the camp of the so-called Allied Nations? We are not less intelligent or less far-sighted than the leaders of Syria and Lebanon. But if we want to bring the Indian issue before the bar of world opinion, we have to do two things. Firstly, we have to prevent any compromise with British Imperialism. Secondly, we have to assert India's right to freedom with arms. If our countrymen at home cannot take up arms, or they cannot continue even Civil Disobedience against Britain's war effort, let them at least keep up the moral resistance to British Imperialism and refuse to come to any compromise. We shall continue to assert India's right to freedom with arms, and so long as we do so, no power on earth can prevent India remaining an international issue, provided you do not let us down by compromising with the British Government.

I understand that some of the leaders at home are furious with me for opposing their plans for a compromise with the British Government. They are also furious with me for pointing out that the Congress Working Committee has constitutionally no right to make such a fateful decision behind the back of All India Congress Committee and the Congress. And they are furious with me for pointing out that the Congress Working Committee does not represent Left-Wing opinion in the Congress and in the country. These infuriated leaders are abusing me for taking the help of the Japanese. I am not ashamed of taking the help of Japan. My cooperation with Japan is on this basis, that Japan recognises India's complete independence and has granted formal recognition to the Provisional Government of Azad Hind or Free India. But those who now want to cooperate with the British Government and fight Britain's imperialist war are prepared to accept the position of subordinates, responsible to Britain's Viceroy in India. If they were to cooperate with the British Government on the basis that Britain grants formal recognition to a Government of Free India, that would be a different matter. Moreover, Japan has given us the arms with which to organise an

army, which is Indian from top to bottom. This army, the Azad Hind Fauj, has been trained by Indian instructors using the Indian language. This army carries India's national flag and its slogans are India's national slogans. This army has its own Indian officers and its own Officer's Training Schools, run entirely by Indians. And, in the field of battle, this army fights under its own Indian commanders, some of whom have now reached the rank of General. If one talks of a puppet army, then it is the British Indian Army that should be called a puppet army, because it is fighting Britain's imperialist war under British officers. Am I to believe that in an army of two-and-half millions, in which so many Indians are found fit to obtain the highest honour in the British Army—namely, the Victoria Cross—not one single Indian could be found fit to hold the rank of General.

Comrades! I have just said that I am not ashamed to take the help of Japan. I should go further and say that if the once almighty British Empire can go round the world with the begging-bowl and can go down on its knees in order to obtain help from the United States of America, there is no reason why we—an enslaved and disarmed nation—should not take help from our friends. Today, we may be taking the help of Japan, tomorrow we shall not hesitate to take help from any other quarter—if that be possible, and if that be desirable, in the best interest of India. Nobody would be more happy than myself if we could achieve India's independence without foreign help of any sort. But I have yet to find one single instance in modern history where an enslaved nation has achieved its liberation without foreign help of some sort. And for enslaved India, it is much more honourable to join hands with the enemies of the British Empire than to curry favour with British leaders of political parties. Our whole difficulty is that we do not hate our enemies enough and our leaders do not teach us to hate India's enemies or other nations. Is it not ridiculous for some of our leaders to talk of fighting Fascism abroad, while shaking hands with Imperialism at home?

Comrades! I would never have opened my mouth and said one word to you, if I had been sitting as an arm-chair politician here. But I and my comrades here are engaged in a grim struggle. Our comrades at the front have to pay with death. Even those who are not at the front have to face danger every moment of their existence. When we were in Burma, bombing and machine gunning was our daily entertainment. I have seen many of my comrades killed, maimed and injured from the enemy's ruthless bombing and machine gunning. I have seen the entire hospital of the Azad Hind Fauj in Rangoon razed to the ground, with our helpless patients suffering heavy casualties. That I and many others who are still alive today, is only through God's grace. It is because we are living, working and fighting in the presence of death that I have a right to speak to you and to advise you. Most of you do not know what carpet bombing is. Most of you do not know what it is to be machine-gunned by low flying bombers and fighters. Most of you have had no experience of bullets whistling past you, to your right and to your left. Those who have gone through this experience and have nevertheless kept up their morale cannot even look at Lord Wavell's offer.

Comrades! We have to consider what to do about Lord Wavell's offer. First of all, though the time at your disposal is short, you will have to do everything possible to prevent acceptance of this offer by the Congress Working Committee. Secondly, if you fail to do that, you will then have to create a situation, which will force the Congress representatives to resign from the Viceroy's Executive Council. This will not be difficult. You will have to insist on the release of all political prisoners, which will, in itself, bring about a crisis between the Viceroy and the Congress members of the Executive Council. There is no doubt that when the new Executive Council is formed, the Viceroy will begin to exploit India's resources in men, money and materials for fighting Britain's future war in the Far East. This will naturally raise numerous issues in which India's interests will clash with those of Britain. If you keep up your agitation and propaganda, then the Congress members of the Executive Council will be forced to stand up for India's interests against those of

Britain, in which case, a clash with the Viceroy will be certain. Then, you will have to agitate in order to prevent Indian troops being sent as cannon-fodder to the Far East. If you fail in that, you will have to undertake sabotage, in order to disrupt enemy transport and lines of communication. As you are aware, during the last five years the British were giving valuable instructions for organising and carrying on an underground movement in countries which went out of their control or influence. If you make use of all those instructions and apply them against the British in India, you will achieve valuable results. Last, but not least, you will have to form cells within the Indian Army and prepare for a revolt from within. The Indian Army of today is not the Indian Army of 1939. It is an army which, according to Britain reports, is two-and-a-half millions strong. In this army, there are many who are politically minded and nationalist at heart. The time for a revolt will come when this Army is demobilised, if India is not free by then. Thanks to this war, two-and-a-half million Indians have been trained in the use of arms. When the time comes for their disbandment, they can raid the armouries and get the arms with which to fight our British rulers. The Chittagong Armoury Raid in 1930 was an excellent example of how arms belonging to our enemy could be procured and then used against them.

Comrades! I shall now close for the day. But before I conclude, I would remind you that a revolutionary is one who believes in the justice of a cause and he believes that that cause is bound to prevail in the long run. He who gets depressed over failures or set backs, is no revolutionary. The motto for a revolutionary is hope for the best, but be prepared for the worst.

I am confident that if we fight on and if we play our cards well in the international field, we shall win our freedom by the end of this war. But that does not mean that if, by any chance, we fail to do so, we should be disheartened or depressed. Consequently, if the worst happens and India does not emerge as an independent State by the end of this war, our next plan shall be a post-war revolution inside India. And if we fail in that, too, then there will be World War 3 to give us another opportunity to strike for our freedom. I have no doubt that World War 3 will break out within 10 years of the end of this war, if not earlier, in case all the suppressed nations of the world are not liberated during the course of the present war. India's independence is a settled fact. The only uncertain fact is the time factor. At the worst, it may take a few more years for India to be free. Why then should we be easily discouraged and rush to the Viceroy's House for a compromise? Your task as revolutionaries will be to keep the flag of independence flying until such time as that flag proudly floats over the Viceroy's house in New Delhi.

Jai Hind.

27. 'India's Independence is a Settled Fact'

Broadcast by Subhas Chandra Bose, addressed to the Revolutionaries in India, Shonan, 27 June 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Comrades!

During the last few days I have been speaking to you as a revolutionary, addressing fellow revolutionaries in India, as I would have done, if I had been at home today. By 'Revolutionary', I mean a person who stands for the complete independence of his country and who is not prepared to compromise over the question of independence. Furthermore, a revolutionary believes that the cause for which he is fighting is a just one, and that, therefore, is bound to triumph in the long run. A revolutionary can never get disheartened or depressed over any failure or set-back, for the motto is, 'Hope for the best, but be prepared for the worst'. As revolutionaries fighting for the

freedom of India, our faith in our final victory is unshakeable, just as our determination to fight on, under all circumstances, is unflinching. It is with this invincible spirit that we face the present, and look forward to the future. For us, as revolutionaries, the independence of India is a settled fact. There is no power on earth that can stand between us and our goal of freedom. The only uncertain factor is the time factor. On that question, I would like to say that the exact time as to when India will attain her freedom depends on two factors. Firstly, how much effort we put forward and how much sacrifice we make. Secondly, the world situation and how we utilise it to our advantage. Judged from this standpoint, if we have to achieve our liberation, we have to do at least three things. Firstly, whether inside India or outside, we have to assert India's right to freedom with arms. Secondly, inside India, we have to keep up resistance—at least, moral resistance—and prevent a compromise by all means. Thirdly, we have to make India an international issue and put India's case before the bar of world opinion. I have already said in my previous talks that we in East Asia will continue to assert India's right to freedom with our arms. So long as we do so, India will remain an international issue, provided people at home do not let us down, by compromising with British Imperialism and thereby making India a domestic issue of the British Empire.

By a combination of military successes and skilful propaganda, the British have managed to create an atmosphere in India which is favourable for a compromise. Among a certain section of our countrymen, the British have been able to create the impression that the Anglo-American powers are going to win this war, that India has no hope of achieving her independence during the course of the present war and that, therefore, the Indian people should accept what they are now being offered. As soon as the British realised that their propaganda in India was becoming effective, they struck while the iron was hot and they put forward an offer which was, in essence and in substance, the old offer of Sir Stafford Cripps, with very slight modifications. Under normal circumstances, not one single, genuine Congressman would have looked at Lord Wavell's offer, or would have touched it with a pair of tongs. But because of their defeatist mentality some of our countrymen, thinking that everything is lost, are trying to grab this offer, just as a drowning man catches a straw.

Since our enemies have suddenly thrown an obstacle in the path of our independence, our task, as revolutionaries, is to remove this obstacle by any means at our disposal, so that the forces now fighting inside India and outside may carry us forward towards our destined goal. Though the time at our disposal is short, I am, nevertheless, hopeful that we can succeed in this effort, provided we can open the eyes of our countrymen in time, as to the danger that will over take us if we accept Lord Wavell's offer. That danger is a twofold one. On the one hand, Lord Wavell's offer, if accepted, will divert us from the path of independence. On the other hand, the acceptance of that offer will create a situation in which the Congress will cease to be the representative of the Indian masses, reducing itself to the position of one party among many parties in the country and, at the same time, it will make the Congress repudiate its national character as an organisation representing Indians of all religious faiths.

I am surprised and pained to find that there are some politically minded Indians today who do not realise that the Viceroy and his masters have laid a trap for the Indian people. These gentlemen go so far as to believe in the bona fides of Lord Wavell and praise his sincerity. But I find that the Viceroy has himself exposed his own character, his motives and intentions. While opening the Simla Conference on 25th June, Lord Wavell delivered a sermon to the Indian leaders and said: 'You must accept my leadership for the present until there is some agreed change in the constitution. I am responsible to His Majesty's Government for the good government and tranquillity of India.' But that is not all. Earlier in his speech, Lord Wavell said: 'I have called you together from all parts of India at this critical moment in her history, to advise and help me in

advancing India towards prosperity, political freedom and greatness.' It is impossible for a self-respecting Indian to put up with this type of patronising. As far as I am aware, nobody has appointed Lord Wavell the guardian angel of India, nor has anybody placed India's destiny in his hands. I should like very much to know if the Congress Working Committee accepts this role of Lord Wavell as the arbiter of India's destiny. While the whole world is talking today of aggression, and the Anglo-American powers, in particular, claim to be fighting aggression in this world, let us not forget that British rule in India is based on aggression, brute force, plunder and loot. Let us not forget also that the British have no right to be in India—and that it is high time that they had shown some repentance for all their misdeeds in India, instead of posing as our well-wishers or as the saviours of India. Only hypocrisy of the highest order can explain Lord Wavell's patronising attitude at the Simla Conference.

Another interesting fact that reveals Lord Wavell's real mentality is that in arranging the seats at the conference table, the seat to his right, which should have been given to the representative of the most important party attending the conference, was not given to the Congress president, Maulana Abul Kalam Azad. This was announced over the radio from Delhi yesterday, but it was not stated if a protest has been lodged on behalf of the Congress. If no such protest has yet been lodged, then it must be assumed that Congress representatives are so keen about attending the Simla Conference that they are prepared to pocket any insult or humiliation in doing so.

I wonder if your attention has been drawn to another relevant and interesting fact. While Lord Wavell was making an announcement about the new offer of the British Government, the India office in London was making an announcement to the effect that recruitment in England for the Indian Civil Service was being resumed. This is the clearest proof—if any further proof were needed—that Britain had no intention of relaxing her hold over India. Commenting adversely on this Prof. Harold Laski, Chairman of the Labour Party Executive, said in a statement issued from London on 25th June: 'It suggests to the Indian nationalist mind the notion that the British still envisage a considerable period before they quit India or, alternatively, saddling India for many years with the payment of considerable sums of money to young men, as compensation for possible loss of office.'

I do not know if any of my listeners have felt intrigued as to why Lord Wavell has converted the Simla Conference into a secret conference, meeting behind closed doors. I am told that something like an oath of secrecy has been administered to all the gentlemen attending that conference at which the fate of a country is going to be decided, being held in camera. The only explanation I can find is that Lord Wavell is afraid of public opinion. Behind closed doors, he is trying to bamboozle the Indian leaders and he is naturally apprehensive that if the proceedings are made public, public opinion in India might assert itself in time, and foil all his attempts to land the Indian leaders into his trap.

While talking of the Simla Conference, I must offer my respectful congratulations to Mahatma Gandhi on the wise step he has taken in not attending the Simla Conference. To me it is a clear indication that Mahatma Gandhi remembers how the British Government treated him at the Round Table Conference held in London in 1931, when it was so manoeuvred that Mahatma Gandhi's position as the sole representative of the Congress was brought down to the level of the other mysterious parties attending that conference. In the present case, by refraining from attending the Simla Conference, Mahatma Gandhi has been able to keep himself above the level of other delegates attending the Conference. His non-attendance at the Simla Conference not only enhances his own position, but may even be helpful to the cause of India.

Comrades! We have now to consider what to do about Lord Wavell's offer. First of all, though the time at your disposal is short, you will have to do everything possible to prevent the acceptance

of this offer by the Congress Working Committee. You should carry on a raging and tearing campaign against Lord Wavell's offer all over the country. You will also have to see to it that an organised opposition is put up. From this distance, I gather the impression that there is plenty of opposition in the country to Lord Wavell's offer, but the oppositionists do not seem to be joining hands in a common campaign for the rejection of the offer. In your campaign for the rejection of the offer, it will help you considerably, if you challenge the Congress Working Committee to produce the programme which the new Executive Council will carry out. The country will then be able to judge from that programme whether the task of the Executive Council will be to fight Britain's imperialist war in the Far East and provide half a million Indian lives as cannon-fodder or to help India along the path of 'prosperity, political freedom and greatness', as Lord Wavell promises. It is absolutely essential that before the Congress Working Committee accepts Lord Wavell's offer, it should place before the country the programme which the new Executive Council will work out. This programme, if approved by the Viceroy, will be the acid-test as to whether the new Executive Council will be able to serve the interests of India.

If you fail in preventing the acceptance of the offer, you will then have to create a situation, which will force the Congress representatives to resign from the Viceroy's Executive Council. This will not be difficult. You will have to insist on the release of all political prisoners, which will, by itself bring about a crisis between the Viceroy and the Congress Ministries. The Ministries in Bihar and the United Provinces demanded the release of all political prisoners. Further, there is no doubt that when the new Executive Council is formed, the Viceroy will begin to exploit India's resources in men, money and materials for fighting Britain's imperialist war in the Far East. This will naturally raise numerous issues in which India's interests will clash with those of Britain. If you keep up your agitation and propaganda, then the Congress members of the Executive Council will be forced to stand up for India's interests against those of Britain, in which case, an insoluble conflict with the Viceroy will be inevitable. Then you will have to agitate in order to prevent Indian troops being sent as cannon-fodder to the Far East. If you fail in that, you will have to undertake sabotage in order to disrupt enemy transport and lines of communication. As you are aware, during the last five years the British were giving valuable instructions for organising, and carrying on, an underground movement in countries which went out of their control or influence. There are people in India, as in Britain, who have been trained in underground activities in other countries. If you can utilise these men or, if you can, at least, make use of the instructions for underground activity in other countries issued by the British authorities and apply them against the British in India, you will achieve valuable results. Last, but not least, you will have to form cells within the Indian Army and prepare for a revolt from within. The Indian Army of today is not the Indian Army of 1939. It is an army which, according to British reports, is two-and-a-half million strong. In this Army, there are many who are politically-minded and nationalist at heart. The time for a

28. 'Freedom's Battle Will Go On'

Broadcast by Subhas Chandra Bose, Shonan, 3 July 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

Today is the fateful day when the Congress Working Committee is meeting to consider Lord Wavell's offer. From the reports sent out from India by various news agencies, it appears that most of the members of the Congress Working Committee are bent on arriving at a compromise with

the British Government on the basis of Lord Wavell's offer. But neither from the constitutional nor from the moral point of view, it is fair or proper for the Working Committee to make such a momentous decision behind the back of the All India Congress Committee and the Congress. Constitutionally, the Working Committee has no power to do so. And there being no emergency in the country, there can be no moral justification for the Working Committee to make such a hasty decision, which commits the All India Congress Committee and the Congress to a policy which militates against the fundamental principles and resolutions of the Congress.

The acceptance of Lord Wavell's offer will not only set at naught the fundamental principles and resolutions of the Congress, but will drag the Indian people into whole-hearted participation in Britain's imperialist war in the Far East. I have already warned my countrymen at home that is participation in Britain's future war will mean that we shall have to provide half-a-million Indian lives as cannon-fodder.

In 1939, we refused to co-operate in Britain's war and in accordance with that policy, Congress Ministries in eight provinces resigned office. In 1942, the British were asked to quit India and the Indian people were asked to 'do or die' in their attempt to liberate India from the British yoke. I should like to know what has happened since then, to justify a complete somersault in our fundamental policy. Is it because the members of the Congress Working Committee feel hopeless about achieving independence that they want to accept Lord Wavell's offer? If it is because of their defeatist mentality that the members of the Working Committee want to enter the Viceroy's Executive Council, what difference will then be between a Congressman and a moderate?

Regarding the final result of the war in the Far East, I want to say once again that the struggle is going to be a long-drawn one and nobody can predict that the Anglo-Americans will emerge victorious. Japan is going to fight every inch of the ground everywhere. In my personal opinion, during this long-drawn struggle, two decisive battles will be fought: in the mainland of China and in Japan proper. As Napoleon Bonaparte said once in his characteristic way, 'The issue of a battle is sometimes decided in the last five minutes'. In this case, the issue of the war in East Asia will depend on which side will be able to hold out longer. A well known British Commander, General Slim, who took part in the recent operations in Burma, said the other day in an interview in England: 'There are many nations who talk of fighting to the last. But there is only one nation, Japan who does so.' Apart from Japan's stamina and fighting spirit, we have to remember that in the camp of the so-called United Nations, there is plenty of disunity and conflict. Above all, the future policy of Soviet Russia has to be followed closely and carefully. It is obvious to any one who understands anything of politics that Soviet Russia, though a member of so called United Nations, has been pursuing her own war aims. The latest conflict between Soviet Russia and Turkey is a pointer in this direction. And in East Asia, the attitude and policy of Soviet Russia will have an important bearing on future developments.

So far as the future is concerned, between Soviet Russia and the British Empire, sooner or later, a conflict is unavoidable and in my view that conflict will be the basis of World War 3. The only uncertain factor is as to when this conflict will break out into an open war.

For an Indian revolutionary, the wisest course to follow is as follows: We should wait till the end of the present war. Nobody can say what sudden turn will take place in future in the course of the present war. A famous military strategist, Clausewitz, once said 'War has many surprises.' In 1912, during the Turko-Balkan War, Turkey was on the verge of defeat. When the troops of the Balkan powers were at the gates of Constantinople, a conflict arose among them. Turkey seized this opportunity, drove back the Balkan troops and saved Constantinople and her empire. Who can say that a similar development will not take place in the war in the Far East?

If by the end of this war, India does not achieve her independence, India will have a chance of organising a rebellion when the Indian army is being demobilised and when a changeover from war to peace takes place in India. If we fail in that, we shall have another opportunity within a few years when World War 3 breaks out. I am definitely of the opinion that within ten years of the close of this war—if not earlier—World War 3 will begin.

This being our vision of the future, we in East Asia are determined to carry on our armed struggle to the last man and to the last round. Simultaneously, we shall continue to follow international developments closely, and utilise them to our advantage. By a combination of armed struggle and international diplomacy, we hope to achieve the freedom of our Motherland.

In this effort, you my countrymen at home can help us. If you cannot undertake an armed struggle, you can continue Civil Disobedience in some form or other. If you cannot do even that, you can at least continue moral resistance to British Imperialism and refuse to compromise. If you do not compromise with British Imperialism at home, you will strengthen our hands considerably, and you will make India an international issue.

If unfortunately the Congress Working Committee accepts Lord Wavell's offer and Congress leaders become members of the Viceroy's Executive Council and send out Indian troops to fight in the Far East, that will not affect our programme in any way. Whatever the Congress or the Muslim League may do at home, our programme of 'armed struggle-cum-international diplomacy' stands, and we shall continue to work out that programme under all circumstances.

It appears that the members of the Congress Working Committee seem determined to come to a compromise with the British Government. Before they do so, let me remind them once again about the motives behind Lord Wavell's offer. Those motives are, firstly to get half-a-million Indian soldiers for the war in the Far East and, secondly, to convert the Indian issue into a domestic issue of the British Empire.

From the reports that are forthcoming, it is not clear as to what Mr Jinnah's real intentions are. Outwardly he gives the impression that he has not yet decided as to whether he should accept Lord Wavell's offer. This impression may be correct, for I believe that Mr Jinnah will not accept Lord Wavell's offer, unless he is convinced that it will lead to the realisation of his dream of Pakistan. In any case, it is clear to the outside observer, that Mr Jinnah has behaved with dignity and reserve, as it behoves a politician. As a contrast, all of the members of the Congress Working Committee have shown excessive eagerness and zeal in arriving at a compromise with the British Government. This excessive eagerness is not only unseemly but also indecent. Even if a politician wants to make a compromise and strike a bargain, he must conduct himself with dignity and reserve. Reuter reported that Pandit Jawaharlal Nehru on his way to Simla said: 'He must succeed at Simla'. If this report be true, then I feel constrained to say that this determination is not worthy of a noble cause. Three years ago, we were determined to do or die in order to win Independence. Today, it seems as if some of us are determined to make peace with England on Lord Wavell's own terms.

Some members of the Congress Working Committee, including Sardar Vallabhbhai Patel, have, according to reports, opined that Lord Wavell's offer will be accepted, if it leads to the achievement of India's Independence. Up till now, the Moderates used to say that by accepting jobs in the Viceroy's Executive Council they will reach their goal of Dominion Status. But the Congress repudiated that policy. And the Congress repudiated prominent ex-Congressmen like Sri M.S. Aney and Dr N.B. Khare for entering the Viceroy's Executive Council. After 25 years of uncompromising struggle, is the Congress going to drag itself down to the position of the All India Liberal Federation? That would mean suicide for the Congress.

If the Congress leaders who have in the past been loved, respected, and even worshipped, repudiate their life's work and adopt the policy of the Moderates, the breach between them and the masses will be complete. The masses of India have been awakened and they cannot be fooled any longer. If they are let down by their leaders, they will repudiate these leaders and march on without them. Every new movement produces its own leaders. When a nation is once roused, nothing can impede its forward march. If the Congress Working Committee ultimately decides to surrender to the British Government and accept Lord Wavell's offer, millions of Indian people, including myself, will sincerely deplore that decision. Individual leaders may come and go, but freedom's battle once begun will go on from success to success, in spite of difficulties, obstacles, and setbacks, until the goal is finally reached. So shall it be with India.

Jai Hind!

29. 'Situation Can Yet Be Saved'

Broadcast by Subhas Chandra Bose, Shonan, 6 July 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

For those who believe that a compromise with the British Government, on the road of independence, will be an obstacle and mistake the time has come to prepare their programme for the future. To those who are outside India, it has been clear during the last few days that the Congress Working Committee has already decided to accept Lord Wavell's offer. It is but natural that those who are now trying to arrive at a compromise with the British Government, should strengthen their hands by having messages issued, and resolutions passed, by various individuals and organisations in the country, with a view to creating an impression that the country wants a compromise. But that will not deceive anyone who knows the real situation in India and who realises that it is always difficult in our country to give open expression to extremist or Left-Wing opinion. The mass of the Indian people have no interest in a compromise which will benefit the British Government more than anybody else. What they want is the correct type of leadership, through which their real sentiments and wishes could be given utterance to. For those who are against a compromise and want to carry on an uncompromising struggle against British imperialism, the task is to provide the correct leadership to laymen in the Congress and in the country. From the past experience I may say that every time after a period of intensive struggle, there is a further depletion or defection in the ranks of existing leadership. But I have seen on every occasion, that in spite of depletion or defection in the ranks of Left Wing Leadership the movement throws up new leaders. Consequently I have no doubt in my mind that in the fullness of time, the national movement in the country will produce leaders. My endeavour today will be to suggest a programme for those who will carry on an uncompromising struggle in future.

Before I suggest such a programme, I want to consider two things. Firstly, why are so many prominent leaders anxious for a compromise while the war is still going on? Secondly, what is the programme of those who want to carry on the struggle outside India, to the best of their ability? After a consideration of these two problems, it will be easy to chalk out a plan for an uncompromising struggle inside India.

Regarding the first problem I have no doubt that a defeatist mentality has overtaken those who, three years ago, were determined to do or die in the fight for India's independence. These people are convinced that the Anglo-Americans are going to win this war. Though this defeatist mentality is common to all 'compromise-wallahs' within their ranks, two groups of men may be

noticed. One group, which forms the majority, thinks more about the internal situation in India. The members of this group think that nothing is to be gained by continuing civil disobedience inside India. They feel that the Congress organisation has been broken up as a result of large-scale arrests and as a result of the ban on the Congress organisation. A compromise with the British Government will render it possible to revive and strengthen the Congress organisation in the country once again. These people also think that while the Congress had been in the wilderness, other organisations had come to the forefront and had been trying to undermine the Congress. Consequently, the Congress must have some power, in order to rehabilitate itself, and put down other organisations working against it, and this is possible only through compromise with the British Government. Further, there is also a feeling that if the Congress does not achieve something now, it will be difficult to go back to the status of three years or perhaps five years ago. The other group, which forms a minority, thinks more of the international situation. The members of this group think that if India is to play her role in the camp of the United Nations, she must come to some sort of understanding with the British Government to enable nationalist Indians to represent India at an international conference in future. Besides having a defeatist mentality, the members of these two groups have another thing in common. Both the groups think that through a compromise, they will be able to work their way towards independence.

Now, why don't I agree with this school of thought? The reasons are as follows. Firstly, I do not share their defeatist mentality. I do not think that it is certain that the Anglo-Americans will win this war. I say this in spite of the defeat of Germany. I could give various arguments to substantiate my point of view and I have already mentioned some of them in my previous talks. The war in the Far East will in any case be a long and bitter one, and during the course of this war, many surprises may lie in store for the world. It was Napoleon Bonaparte who said once upon a time that the ultimate result of a war is sometimes decided during the last five minutes. Reuter's correspondent, Ronald G. Headnood, put out the following statement about the war in the Far East on 5 July. It will give some idea as to what the British themselves think about the coming campaign in East Asia. Similar statements have also been made occasionally to Americans by American Army and Navy commanders. That is what Reuter's correspondent said:

A warning that unconditional surrender from the Japanese was unlikely and that the Allied would have to fight every inch of the way to the heart of Tokyo was given by Lieut-General William Joseph Slim, Commander of the 14th Army, today. 'All my experience has proved that the Japanese fight to the very last', said General Slim in an exclusive interview. He also added: 'I think, it very unwise to calculate on anything less than a fight to the death, and all our preparations for war with Japan must be made on this basis.' General Slim refused to express any opinion as to the length of the time it will take to finish off the Japanese in the Far East. 'I never make prophecies' he said, 'They take some explaining away when they go wrong'.

Friends! While I maintain that it is by no means certain that the Anglo-Americans will win the coming war, I feel that the Indian people should wait and see, and, in the meantime, they should carry on the struggle to the best of their ability.

Secondly, I am definitely of the opinion that a compromise with the British Government will not help, but will retard the achievement of our independence. To those who doubt the truth of this statement of mine, I should say—'let us wait and see; coming events will themselves answer this.'

Thirdly, to those among the 'compromise-wallahs' who are thinking too much about the internal situation in the country I should say that this is not the time when they should think of such small things as the revival of the Congress organisation in the country. The whole world is now the melting pot and India's fate is, to a large extent, linked up with the final issue of this war. No harm

will be done if the revival of the Congress organisation is postponed for a time and if we wait and see what the final issue of this war will be. By compromising now, we may get at most 10 per cent of Swaraj. By waiting for time, we may get *Poorna Swaraj*.

Fourthly, to those who are thinking of how India can play her part in future international conferences, I should like to point out that the real question is not whether Sir Ramaswamy Mudaliar should represent India at the San Francisco Conference or at similar conference—or Pandit Jawaharlal Nehru. The real question is—whom the Indian spokesman will represent at an international conference. Will the Indian spokesman represent a free India, or India under British rule? According to foreign reports, Sir Ramaswamy Mudaliar did very well at the San Francisco Conference so far as his individual ability was concerned. Reuter has told us that Pandit Jawaharlal Nehru is prepared to work under the Viceroy's leadership. This is news to us, and it is difficult to believe it. But if it be true, and if Pandit Nehru agrees to accept this new role, then I must say that so long as Pandit Jawaharlal Nehru, or any other Indian leader for the matter of that, works under the Viceroy's leadership his voice at an international conference will not be the voice of Free India.

So much about the attitude and mentality of the Congress Working Committee. Now about our programme outside India. I have already made it clear that the issue of the coming war in East Asia is by no means certain. No one can say that the Anglo-Americans will ultimately win this war. Japan will fight to the last and while this war is going on, many surprises may be in store for the world. Indians in East Asia have, therefore, resolved to carry on the armed struggle, to the last man and to the last round. Simultaneously they will carry on their activity in the field of international diplomacy, keeping the Indian issue alive as an international issue. It goes without saying that our hands will be considerably strengthened if, while we are carrying on the armed struggle, people at home keep up resistance to British Imperialism. It will be a help to us, even if that resistance is moral in character, but even if the Congress Working Committee compromises with the British Government as it has already decided to do, we shall still continue our struggle. By doing so, we shall achieve one of two results. Either we shall force the hands of the British Government and compel it to accept the Indian demand for independence or we shall expose the hollowness of Lord Wavell's offer and compel the Congress to retrace its steps and withdraw from the Viceroy's Executive Council.

In any case, our struggle is bound to do good to the cause of India's independence. And, in any case, it can be used by our countrymen at home as a useful lever for putting pressure on the British Government. It is clear that the present policy of the Congress Working Committee is very similar to the old policy of the Moderates. The essence of that policy is—'Work for India's freedom through cooperation with Britain'. The Congress will be cooperating with the British Government in future, and if the Left Wing movement in the country is suspended, then there will be no hope for India. On the other hand, if the Left Wing movement is continued with energy and vigour, it will either force the British Government to yield to India's demand or it will force the Congress Working Committee to give up its policy of cooperation. Therefore, while we are continuing the armed struggle outside India and are keeping alive the Indian issue as an international issue, a parallel movement should be carried on inside the country. One of the aims of this parallel movement inside India should be to see to it that as a result of cooperation with the British Government and especially in connection with Britain's war in future the Congress does not degenerate into a Liberal Federation.

The first thing that should be done inside India is to combine all the oppositionists to Lord Wavell's offer into some kind of a central organisation. If the efforts of all the oppositionists are pooled together, then results will be obtained speedily and effectively.

Secondly, a persistent demand should be made on behalf of the public that the Congress Working Committee should place before the country its programme for the Central Government and for the Provincial Governments. Once that programme is produced, the country will be able to judge very easily as to how far that programme will be executed in future.

Thirdly, a strong agitation should be carried on for the release of all political prisoners of all categories—including, of course, those detained without trial. The release of political prisoners will be one of the acid tests of Lord Wavell's sincerity and the Congress should not be allowed to take any compromise on this all-important issue.

Fourthly, the public should make a persistent demand of the Congress Working Committee to tell the country to what extent it is going to participate in Britain's imperialist war in the Far East. It is known to every body that the Congress Working Committee has already pledged itself to wholehearted participation in that war. But the country should insist on knowing what that wholehearted participation will mean in actual practice. In other words, how many troops will be sent out of India? How much money will India have to contribute for Britain's war in East Asia? Apart from men and money, what will India be made to contribute in the shape of war materials for Britain's war? Once we know how far India will be bled, for the sake of Britain's imperialist war, we shall be able to judge whether anything will be left for India's internal reconstruction. As is well known, we have always agitated that India should not be made to sacrifice for Britain's imperialist war. Will the Congress adhere to this policy in the future, or will it initiate a new policy of making voluntary sacrifices for the perpetuation of the British Empire?

Fifthly, will India be made to contribute to the UNRRA¹ fund, with the approval of the Congress? It is reported that India will have to contribute 15 crores to this fund. India has been bled white by British imperialism in the past, and she stands in need of help from outside—and particularly from Britain, the chief exploiter. Will the Congress demand help for India's recovery especially in view of the sacrifices she has made in this war or will the Congress pour out 15 crores of India's money as a contribution to the UNRRA Fund?

Sixthly, what about India's sterling balances which have been blocked outside India? Will the Congress insist that this money should be made available to India or will the Congress allow itself to be used as a pawn by British and American High Finance?

Seventhly, will the Congress reopen the question of India's public debt? So far, we have declared in an unambiguous manner India's demand for the reopening of this question, but we have not been able to do anything to compel the British Government to accept India's point of view. Once the Congress accepts seats on the Viceroy's Executive Council, the excuse can no longer be put forward that the Congress is not in a position to force the hands of the British Government. Therefore, the country would like to see if the Congress will take up the question of India's public debt when it accepts power and responsibility at the centre.

Sisters and brothers at home! These are a few points for your consideration. You will have to keep up your agitation and propaganda on all these points, and you will have to insist that on each of these points, the Congress representatives, and their colleagues in the Central Government, give effect to the demand of Indian public. I must say that if we succeed in doing so, then British power in India will be reduced to a minimum. On the other hand, if they fail to force the hands of the British Government, then they will become mere puppets in the hands of the Viceroy.

One thing more before I close. The responsibility of the Congress for the future policy and action of the Government of India will be very great. The Congress Working Committee will not content itself with submitting a panel of names for only those seats that have been reserved for the Congress. By submitting a full panel of names embracing all religious groups, as well as all interests in the country, the Congress is accepting full responsibility for the Government of India in future.

The Congress cannot argue hereafter that the panel of names submitted by it were not accepted by the Viceroy. It is up to the Congress to reject Lord Wavell's offer, if its own panel is rejected by the Viceroy. But since the Congress has agreed to unconditional acceptance of Lord Wavell's offer, its responsibility for the future Government of India will also be unconditional.

Friends, I have finished for today. We are determined to carry on the struggle under all circumstances. It is up to you to carry on a parallel movement inside the country. If you do so, I am confident that the situation can yet be saved and that the disaster that is likely to follow a compromise with British Imperialism may yet be averted. May God grant you success in your noble efforts.

Jai Hind!

¹ The United Nations Relief and Rehabilitation Administration (UNRRA) was established by agreement signed at Washington on 9 November 1943. This international body was to aid countries which had been subjugated by the Axis Powers.

30. 'Lessons of the Simla Conference I'

Broadcast by Subhas Chandra Bose, Shonan, 15 July 1945 (selected excerpts)¹.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and brothers in India! Today I am going to speak to you, first of all, about the details of the Simla Conference. Though I have the impression that the reports which came to us from India over the Radio and through various news agencies were generally reliable, nevertheless there is a possibility that some of them were not wholly correct. Therefore, if any of my conclusions are based on a wrong premise I should like to apologise in advance. To an outside observer it was apparent that some of the Congress leaders were showing excessive eagerness for a compromise with the British Government. This eagerness was in some cases not only unseemly and undignified but also indecent, and against this Mr Jinnah's attitude throughout was dignified and reserved.

It should be clear to every politician that in negotiating with such a shrewd enemy as the British, we have to conduct ourselves with proper dignity and reserve. If we do not do so and if we exhibit any weakness, British politicians are bound to take advantage of it and get the better of us in any negotiations or political problems. As it is sometimes difficult for us to see ourselves objectively it is necessary for others to point out our mistakes. That is why matters related to the Simla Conference should be scrutinized objectively, so that in any future negotiations with the British Government, the Congress leaders may show greater dignity, political sagacity and diplomatic skill. Excessive eagerness for a compromise, to which I have referred above, was exhibited by some Congress leaders in various ways. For instance, several statements were made to the effect that the Congress must come to an agreement with Lord Wavell. Further it was reported that Pandit Jawaharlal Nehru said in one of his statements that he was prepared to work under Lord Wavell's leadership. If this report was correct then it must have come as a rude shock to the Indian people.

I am reminded that on a previous occasion when there was a dispute between Pandit Nehru and a British District Magistrate, Pandit Nehru declared that he would not take orders from the British Government. How the same Pandit Nehru could agree to accept Lord Wavell's leadership passes my comprehension. Another incident that happened was that more than one Congress leader announced that even if other parties did not co-operate in the Viceroy's Executive Council, the Congress was prepared to do so. It is certainly a unique situation that the Congress Working

Committee is prepared to go further than any other party in co-operating with the British Government. Apart from these facts one had the general impression that all the Congress leaders were jubilant over the negotiations with Lord Wavell and were rather loud in saying so, one even had the impression that according to some Congress leaders Lord Wavell was inclined to placate Congress. It is dangerous for nationalist leaders in any country to wrongly estimate their enemy. After so much jubilation over the negotiations and after so much praise bestowed on Lord Wavell where does the Congress stand today?

Lord Wavell has let the Congress leaders down very badly. First of all in preparing his list of members of the Executive Council Lord Wavell did not include the name of any Congress Muslim. While the Congress Working Committee suggested only three Muslim Leaguers for the Executive Council, Lord Wavell proposed four Muslims and gave the fifth seat not to a Congress Muslim but to a member of the Punjab Unionist Party. But even that did not placate Mr Jinnah. The Congress leaders, moreover, went so far as to accept Lord Wavell's leadership and to agree to cooperate with him, even if the Muslim League did not do so. But Lord Wavell emphatically declined to accept the hand of cooperation offered by the Congress Working Committee. The net results therefore is that the Muslim League administered one slap on the face of the Congress, while Lord Wavell administered another slap. There can be no doubt that the Congress Working Committee has come out the Simla Conference with its prestige considerably impaired.

The prestige of the Congress might have been saved if the Working Committee had declined to accept Lord Wavell's list, just as the Muslim League did. I fail to understand why the Congress Working Committee did not do so. The only explanation that I can find is that there was excessive zeal on the part of the Congress to arrive at the compromise by any means. While making the above remark, I should thankfully admit that what saved the prestige of the Congress to a certain extent was the attitude of reserve adopted by Mahatma Gandhi after his interview with the Viceroy at Simla. In fact I have the impression that Mahatmaji was personally not enthusiastic about Lord Wavell's offer, but that he was carried away by the enthusiasm of some prominent members of the Congress Working Committee. To an outside observer it appears that one of the reasons why some of the members of the Congress Working Committee were so enthusiastic about Lord Wavell's offer was that after interviewing Lord Wavell they thought that he would back Congress even if the Muslim League did not come forward. At that time I told many of my friends here that these Congress leaders were misjudging Lord Wavell altogether. I also told them that however friendly Lord Wavell might outwardly appear to be, he would ultimately have to execute the policy of the British Government. That policy clearly is to back the Muslim League under all circumstances.

What I anticipated has now come about to be true. I am told that the Congress Working Committee in its last sitting assessed the gains and losses arising out of the Congress Party's participation in the Simla Conference. Though the report does not say what conclusions were reached on this point, the All India Radio Special Correspondent says that in the opinion of some leading Congressmen, the positive gain that has resulted is the creation of mutual esteem and friendship between the Viceroy and top ranking Congress leaders. If correct, this is strange news. So long as India remains morally in a state of war with the British Government it is not the duty of the Congress leaders to cultivate friendship with the representative of British Imperialism in India. To sum up, I should like to say that if we desire to learn a lesson from the Simla Conference, we should recognise the fact that out of the Simla Conference Mr Jinnah has emerged with added prestige, while the prestige of the Congress and of the Congress leaders has been greatly impaired.

It is no use blaming either the Muslim League or the British Government for the failure of the Simla Conference as the Congress President has done. Both the Muslim League and the British Government represented by Lord Wavell have done what was anticipated of them. In fact if either

of them had acted otherwise, it would have come as a surprise to us. The Congress President and other members of the Congress Working Committee should blame themselves for not being clever or shrewd to foresee what the Muslim League and Lord Wavell would do. Did the Congress Working Committee anticipate that Mr Jinnah would go into the Executive Council unless he was absolutely sure that by doing so he would realise his dream of Pakistan? Did the Congress Working Committee also anticipate that Lord Wavell would give up the Muslim League and support the Congress? If anybody in the Congress anticipated either of these two things then he certainly lacks political wisdom and does not deserve to be called a leader.

Two things should have been crystal clear to every Congressman at the very outset. Firstly, that Mr Jinnah would not accept any interim arrangement which did not ensure the realisation of Pakistan and secondly, that the British Government would never let down the Muslim League. To me the most tragic thing is that the Congress Working Committee bungled the whole affair when it was strategically in the strongest position.

The Congress is the only party in the country which is fighting the British Government, and is therefore the only party which is entitled to sit at a Round Table Conference with that government and to dictate terms of peace. Therefore in my opinion, the most important lesson to be learnt from the Simla Conference is that the Congress should never in future sit at a Round Table Conference with the British Government along with any other Party.

Jai Hind!

¹ The rest of the broadcast, dealing mainly with the war situation in Europe, has been omitted.

31. 'Lessons of the Simla Conference II'

Broadcast by Subhas Chandra Bose, Shonan, 16 July 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

Before proceeding to study the results of the Simla Conference, I shall indicate, first of all, the background of that conference. A quotation from a speech of His Majesty the King of Britain and another quotation from the opening speech of Lord Wavell at the Simla Conference will furnish the necessary background. His Majesty, the King of Britain, while proroguing the British Parliament on 16th June said:

My Government have authorised the Governor-General of India to invite the participation of Indian political leaders in the Government of British India. I earnestly hope that this invitation will be accepted, so that the immediate task of waging war against Japan and the post-war development of India may be undertaken with the full cooperation of all sections of Indian political opinion.

The Viceroy and Governor-General, Lord Wavell, while opening the Simla Conference on the 25 June said inter alia,

I have called you together from all parts of India, at this critical moment in our history, to advise and help me in advancing India towards prosperity, political freedom and greatness. I ask you to give me that help in a spirit of broad cooperation towards the good of India as a whole. It is not a conclusive provisional settlement. It is not a final solution of India's complex problem that is proposed, nor does the plan in any way pre-judge or prejudice the final issue. But if it succeeds, I am sure, it will pave the way towards a settlement and bring it nearer. You must accept my leadership for the present, until there is some agreed change in the constitution. I am responsible

to His Majesty's Government, for the good government and tranquility of India. I ask you to believe in me as a sincere friend of India. I would endeavour to guide the discussion of this Conference, in what I believe to be the best interest of this country.

Against this background, let us now proceed to study the results of the Simla Conference. Friends! We have so much to learn from this conference that we should try to study this question in a thoroughly objective and dispassionate manner. It is a good thing that the Congress Working Committee at its last sitting tried to assess the losses and gains resulting from its participation in the Simla Conference. Nothing has been given out so far as to what conclusions were drawn by the Congress Working Committee. But the All India Radio's special correspondent said that in the view of some leading Congressmen, positive gain has resulted in the cultivation of mutual esteem and friendship between the Viceroy and top-ranking Congress leaders.

Let us now ask ourselves as to what the respective losses and gains have been. Firstly, for the British Government. The British Government has been able to create the impression throughout the world that it made a generous gesture to the Indian people. The British Government has also been able to create an impression in many parts of the world that it is not the British who were standing in the way of India's freedom, but the Indian people themselves. That the British Government has been able to achieve this moral gain has been due entirely to the fault of the Congress leaders. Firstly, the Congress leaders did not expose the hollowness of Lord Wavell's offer. Secondly, they did not point out that a national Cabinet could not possibly be formed on religious and sectarian basis. Thirdly, they went out of their way to praise Lord Wavell's efforts, and lastly, they declared their unconditional acceptance of Lord Wavell's offer.

By declaring their unconditional acceptance, they made it clear that they were prepared to work under Lord Wavell's leadership, and that they were prepared to cooperate with the British Government, even if the other parties did not do so. In view of all these commitments made by the Congress leaders, they cannot now turn round and blame the British Government. They would have been entitled to throw the blame on the British Government, if they had at the outset either expressed the hollowness of Lord Wavell's offer or had at least pointed out that the Executive Council could not be formed on the lines indicated by Lord Wavell.

The Congress leaders cannot even attack Lord Wavell personally for letting down the Congress at the last moment, because they have already praised his sincerity and declared their willingness to work under his leadership and to cooperate with him, even if the others did not do so.

To sum up, morally the British Government has gained much as the result of the Simla Conference and it has lost nothing thereby. In the days to come, British propagandists will take the fullest advantage of this. They will play the part of an innocent man who is in a difficult position, because the others are quarrelling and will not listen to him. For those who are engaged in world propaganda in support of India's independence, the task has become more difficult after the Simla Conference owing to the folly of the Congress leaders. The British Government has no doubt failed in its efforts to utilise the Indian leaders in exploiting India for the coming war in the Far East. But this failure is due, not to the undiluted nationalism or the political sagacity of the Congress leaders, but to the stubbornness and intransigence of Mr Mohammad Ali Jinnah. Whatever may be our own view regarding Pakistan we must be thankful to Mr Jinnah for being instrumental in wrecking the Simla Conference.

Let us now turn to the Congress. While the British Government has had a tremendous moral gain in the eyes of the whole world, the Congress Working Committee has come out of this affair with its prestige badly damaged. No doubt we have been saved from a major political disaster owing to the failure of the Simla Conference, caused by Mr Jinnah's attitude. Nevertheless we cannot shut our eyes to what we have lost. The Congress has gained nothing by its participation in

the Simla Conference. As to cultivating the friendship of the Viceroy, to which the All India Radio's Special Correspondent referred, I may say that is not the task of the Congress. In fact, I shall go so far as to say that for an Indian nationalist to cultivate the friendship of the arch-champion of British imperialism in India, is not only improper but is even criminal. To cultivate the friendship of one's enemy may be the work of Gandhiji or the method of a Liberal or modern politician, but it can never be the way of the Indian nationalist.

I shall now explain why I say that the Congress Working Committee has come out of this affair with its prestige greatly impaired. Fundamentally, the Congress was in the strongest strategic position. The Congress was the only party which was fighting the British Government. Congress leaders, who were invited to Simla, came straight from prison with a halo around them. But how did they utilise their personal popularity and the strong position of the Congress? While Mr Mohammad Ali Jinnah conducted himself throughout with dignity, reserve and even stubbornness, the Congress leaders showed excessive eagerness for a compromise with the British Government. I have said before, and I say today, that this eagerness was so excessive that to an outside observer it appeared not only unseemly and undignified but even indecent. While conducting political negotiations if one party exhibits this sort of weakness, it is bound to be exploited by the other side and that is what has actually happened. Pandit Jawaharlal Nehru, for example, is reported to have said on his way to Simla, 'We must come to an agreement.' Moreover going out of one's way to praise the Viceroy, to accept his leadership and to offer to cooperate with him, even if the Muslim League did not do so, all these acts were altogether uncalled for, particularly when the final issue was in doubt and nobody could tell how Lord Wavell would behave at the end.

After the failure of the Simla Conference, the Congress President has blamed the British Government and the Muslim League. It is too late in the day to do so. Did the Congress leaders expect Lord Wavell and the British Government to let down the Muslim League and to back the Congress?

Did the Congress leaders expect the Muslim League to accept an interim arrangement which did not ensure the realisation of its dream of Pakistan? I should say that both the British Government and the Muslim League have acted exactly as one should have anticipated. If the Congress Working Committee expected Lord Wavell or Mr Jinnah to act otherwise than what they have actually done, then they must be badly lacking in political wisdom and foresight. The excessive eagerness shown by the Congress leaders for compromise with the British Government gives an outsider the impression that the dynamic movement is broken and that they were therefore dying for a compromise. Throughout the negotiations at Simla, the Congress leaders exhibited not strength but weakness. Moreover, they were completely outmanoeuvred by both the Muslim League and the British Government. Even now if the Congress leaders do not know what the Muslim League is and what it stands for, then one must despair of them. And even if the Congress leaders do not now know the British people and their Government, then they are unfit to lead the great Indian nation.

In any political combat, the basis, the reason of success is a correct estimate of one's opponent. If that estimate is wrong, then success is impossible. While there was no justification for misjudging the attitude of the Muslim League, there was even less justification for misjudging Lord Wavell's policy and plan. It is possible that Lord Wavell in his talk with the Congress leaders was so shrewd as to create the impression that he was a friend of the Congress, and that if the Congress co-operated with him, he would back the Congress as against the Muslim League. But, if any Indian really believed Lord Wavell to be pro-Congress, then I must say that he does not know the ABC of politics. Whatever Lord Wavell's personal views may be, and I do not claim to know them, as

the Viceroy and Governor-General of India he is merely an instrument of the policy of British Imperialism. That policy clearly is to artificially create and carefully foster religious differences and then back the Muslim League under all circumstances. In fact, if Lord Wavell and the British Government had actually backed the Congress as against the Muslim League, it would have meant a complete revolution in Britain's policy towards India. I repeat that the Congress was strategically in the strongest position and that by its weak-kneed policy it has damaged its own prestige. At the expense of the Congress, the British Government has gained morally in the eyes of the whole world. By his fighting character, Mr Jinnah has enhanced his prestige at the expense of the Congress.

In order to draw the lessons of the Simla Conference, for the Congress it is necessary to probe even deeper into the weaknesses exhibited by the Congress leaders. There is no doubt that a defeatist mentality had overtaken them because of the general war situation in Europe and Asia, and because of the fizzling out of the Civil Disobedience Movement at home. Because of this defeatist mentality, they were thinking of a short cut to freedom. I am sure that at least some of the members of the Congress Working Committee thought that by accepting Lord Wavell's offer they would gradually work their way towards independence. But this idea was entirely mistaken.

If we fail in a struggle, we have to continue that struggle and fight again. It is foolish to expect that when we have failed to achieve success through a struggle, we can achieve it through a compromise with our enemy. India's freedom can be won only by the methods followed by successful revolutionaries in all ages and in all times. There is no short cut to freedom. I have already said that as a result of the Simla Conference the Congress has damaged its prestige. There is another factor that accounts for this unfortunate result. The condition precedent to the acceptance of Lord Wavell's offer was the pledge of wholehearted participation in the coming war. How the Congress leaders could forget the anti-war policy of the Congress dating from 1927, how the Congress could forget the 'Quit India' resolution of 1942, passes one's comprehension. Fortunately for the Congress, Mr Jinnah has saved the Congress. Nevertheless, one cannot forget that by pledging itself to wholehearted participation in the ensuing campaign in the Far East, the Congress Working Committee was on the verge of committing political suicide.

Friends! It does not gladden my heart to criticise the Congress Working Committee. To criticise the Congress is to criticise oneself. When I speak of the Congress, I do not speak as an outsider. The Congress is bone of my bone and flesh of my flesh. As a humble servant of the Congress, I have, since 1921, tried to give the best that I was capable of, in the service of the Congress. Consequently, when I see the Congress Working Committee adopting a policy and an attitude that is not only harmful to India's cause, but even fatal in its effect, I feel pain, more than words can express. As human beings we are capable of mistakes, but we have to learn from our mistakes so that we may avoid similar pitfalls in future. It is in this spirit that I am addressing you from across the seas on the lessons of the Simla Conference.

There is one other consideration which is in my mind, when I address you on this topic. I do not speak to you as an armchair-politician, for armchair-politicians I have nothing but contempt. I know that all who stand with me today are engaged in a grim struggle in the course of which everyone is prepared to meet death at any moment. Many of those who commenced the struggle with me are no longer in the land of the living. They have given their lives so that India may be free, and they have taken their places in the ranks of the immortal heroes of 'Azad Hind'. Among those who live today, many have been through danger of every sort, including bombing and shelling and machine gunning of the worst type. It is because we are engaged in a struggle in which we are resolved to pay the price of liberty with our own blood that we are entitled to speak to you and you are obliged to listen to us.

Jai Hind!

32. 'Lessons of the Simla Conference III'

Broadcast by Subhas Chandra Bose, Shanon, 18 July 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

Tonight I shall address you for the third time on the lessons of the Simla Conference. The subject is so important, and we have so much to learn from this experience for our future guidance, that I do not apologize for referring to it again. As human beings we are all liable to make mistakes, but only those who learn from their past mistakes and resolve to avoid them in future, can progress and prosper in life. It is, therefore, necessary for all Congressmen to put aside feelings of vanity, pride and self-esteem, as well as bias and prejudice, and make an objective and dispassionate study of the recent action of the Congress Working Committee in accepting Lord Wavell's offer and participating in the Simla Conference.

This study will be successful and profitable only if Congressmen are able to study and analyse themselves and their leaders, just as disinterested outsiders would. In my study of the lessons of the Simla Conference, I shall be as frank and honest as possible, otherwise further attempts will be of no use to anybody. In what I shall hereafter say in case I hurt the feelings of any of my friends at home, I am asking for his pardon in advance. But in case it is the truth that hurts them, no apology is due from me. Before entering upon our subject, let us remember the background once again. The background of the Simla Conference was Lord Wavell's offer, which he broadcast over the Radio on 14 June 1945. The offer, if I may remind you, consisted of three things: firstly, a promise of self-government, no independence, mind you, after the end of this war; secondly, the restoration of popular Ministries in the provinces; and thirdly, further Indianisation of the Governor-General's Executive Council. The basis of that offer, or rather the condition precedent to an acceptance of that offer, was a pledge of wholehearted participation in Britain's future war in the Far East.

Both Lord Wavell, as well as His Majesty the King of Britain, referred to the motives behind the British Government's offer and to the task for which the cooperation of the Indian people was being asked for. Lord Wavell referred to them in a speech which he broadcast on 14th June, and mentioned three points: firstly, the prosecution of the war against Japan; secondly, the tackling of the problem of post-war reconstruction in India; and thirdly, preparing for a long-term or permanent solution of the Indian problem. His Majesty the King of Britain referred to Lord Wavell's offer, and to the Simla Conference, in his speech proroguing the British Parliament on 15th June 1945.

The acceptance of Lord Wavell's offer by the Indian National Congress and by other parties meant that they should give their fullest support to the new Executive Council to be formed by Lord Wavell. In order to obtain that support from the parties concerned, Lord Wavell wanted to consult them before deciding on the strength and composition of the new Executive Council. The Simla Conference was, therefore, held on 25th June, and on subsequent days, in order to enable Lord Wavell to consult the parties, whose support he was desirous of securing before he formed his new Executive Council. It goes without saying that all those who attended the Simla Conference with a view to advising Lord Wavell about the formation of the new Executive Council, accepted unconditionally Lord Wavell's offer in advance—only in the case of Mohammad Ali Jinnah, his acceptance of Lord Wavell's offer was conditional, because he made it quite clear in advance that though he would attend the Simla Conference, he could not commit himself about participating in the new Executive Council, or about advising Lord Wavell as to its formation.

It is interesting to remember, therefore, that when the Congress representatives attended the Simla Conference, they had already committed themselves to unconditional acceptance of Lord

Wavell's offer. But in tonight's talk I shall not deal with Lord Wavell's offer, as I have already referred to it exhaustively several times during the last four weeks. I shall only repeat, that in my view the real motive behind Lord Wavell's offer was a twofold one: firstly, to secure India's wholehearted participation in the coming campaign in the Far East; and, secondly, to make India a domestic issue of the British Empire and, thereby, prevent other friendly powers from espousing the cause of India's independence.

In his opening speech at the Simla Conference on 25th June, Lord Wavell referred to his offer, and to his future role in the administration of India in the following words:

It (that is his offer) is not a conclusive settlement. It is not a final solution of India's complex problems that is proposed. Nor does the plan in any way prejudge or prejudice the final issue. But if it succeeds, I am sure it will pave the way towards settlement and will bring it nearer. You must accept my leadership for the present. Until there is some agreed change in the constitution I am responsible to His Majesty's Government for the good government and tranquility of India.

These words used by Lord Wavell were carefully chosen. Nevertheless, the substance of his speech was in my view highly objectionable and even insulting. It is strange that no adverse comment was made on that speech from any responsible quarter so far as my information goes.

I shall now plunge into a consideration of how the Congress Working Committee at its last sitting tried to assess the losses and gains resulting from its participation in the Simla Conference. Nothing has been given out so far as to what conclusions were drawn by the Congress Working Committee. But the All India Radio Special Correspondent said that in the view of some leading Congressmen; the positive gain which has resulted was the cultivation of mutual esteem and friendship between the Viceroy and top-ranking Congress leaders. Let us now ask ourselves as to what the respective losses and gains have been. Firstly, for the British Government: The British Government has been able to create the impression throughout the whole world that it made a generous gesture to the Indian people. The British Government has also been able to create an impression in some parts of the world that it is not the British who are standing in the way of India's freedom, but the Indian people themselves. That the British Government has been able to achieve this moral gain, has been due entirely to the fault of the Congress leaders. Firstly, the Congress leaders did not expose the hollowness of Lord Wavell's offer. Secondly, they did not point out that a national Cabinet could not possibly be formed on a religious and sectarian basis. Thirdly, they went out of their way to praise Lord Wavell's sincerity. And lastly, they declared their unconditional acceptance of Lord Wavell's offer.

By declaring their unconditional acceptance, they made it clear that they were prepared to work under Lord Wavell's direction, and that they were ready to cooperate with the British Government, even if the other parties did not do so. In view of all these commitments made by the Congress leaders, and in view of their unconditional acceptance of Lord Wavell's offer and their unconditional surrender to Lord Wavell, they cannot now turn round and blame the British Government. The Congress leaders would have been entitled to throw the blame on the British Government, if they had at the outset either exposed the hollowness of Lord Wavell's offer, or had at least pointed out that the Executive Council could not be formed on the lines indicated by Lord Wavell. The Congress leaders cannot even attack Lord Wavell reasonably for letting down the Congress at the last moment, because they have praised his sincerity so loudly.

I have already said that behind Lord Wavell's offer there was a twofold motive. The British Government has no doubt failed in its first motive, namely, to utilise the Indian leaders in exploiting India for the coming war in the Far East but this failure is due not to the political sagacity of the Congress leaders, but to the stubbornness and intransigence of Mr Mohammad Ali Jinnah. Whatever may be our own view regarding Pakistan, we must be thankful to Mr Jinnah for being instrumental

in wrecking the Simla Conference. With regard to the second motive, namely to make India a domestic issue of the British Empire, the British Government has not failed altogether. British propagandists have already started an aggressive propaganda all over the world that the Indian problem does not represent a conflict between India and Britain, but between the Indian parties themselves.

Judging from the echoes coming from different parts of the world, I must confess that British propaganda has already borne fruit. Leaving the British Press alone, one side of the Press of the United States of America has taken the cue from British propagandists in commenting on the failure of the Simla Conference. Lord Wavell is being depicted as a sincere man and as a well-wisher of India, while the British offer is being described as generous. India's demand for complete Independence has automatically receded into the background. For this unfortunate development, the members of the Congress Working Committee are entirely responsible. I shall here quote a report on a write-up in a Damascus paper *Archhiba* on the failure of the Simla Conference, which is typical of the general reaction in friendly and neutral countries:

Damascus, July 15: Commenting on the failure of the Simla Conference, the newspaper *Archhiba* writes today that India has lost an excellent opportunity presented with great generosity by Britain. If India, therefore, continues to lament her fate this will be due to her leaders, who bear heavy responsibility for the failure of the Simla talks. The paper adds: 'The stubborn attitude of the Indian leaders has lost for India the goodwill of the Big Three on the eve of their meeting at Potsdam.'¹

From what I have said above, it follows that for those who are engaged in world propaganda in support of India's independence, the task has become more difficult after the Simla Conference. It is also clear that out of the wreckage of the Simla Conference, the British Government has emerged with its moral prestige greatly enhanced. It is particularly unfortunate for us that such a development should take place on the eve of the Big Three meeting in Berlin. It will require hard labour and much effort on the part of Indians at home and abroad to bring the Indian issue before the bar of world opinion again, just as it was prior to the Simla Conference.

Let us now turn to the Muslim League. There is no doubt that the Muslim League has not lost anything by attending the Simla Conference, but has gained much. What the Muslim League has gained has been due to three factors: firstly, Mr Mohammad Ali Jinnah's skill in diplomacy; secondly, the folly of the Congress leaders; and thirdly, the British Government's secret sympathy for the Muslim League. As a politician, Mr Jinnah has shown outstanding sagacity and foresight. He attended the Simla Conference but did not make any commitment about accepting Lord Wavell's offer. He conducted himself with dignity and reserve throughout the negotiations. His stubbornness and intransigency, which are sometimes necessary in political bargaining, should be an object lesson to the members of the Congress Working Committee. All in all, Mr Jinnah proved himself to be a strong man, who knew his own mind and had a resolute purpose. What a contrast with some of our other volatile shuttlecock politicians. That Mr Jinnah has emerged of the Simla Conference with enhanced prestige has been due also to the shortsightedness of the Congress leaders. It is because the Congress leaders now look like small politicians that Mr Jinnah appears great by contrast. There is no doubt that if the Congress leaders had played the great part that was expected of them, they would have towered head and shoulders above Mr Jinnah and would have dominated the scene completely, throwing Mr Jinnah into the shade.

In 1942, when Sir Stafford Cripps was in India, that was a different position, because the Congress leaders were then so strong. At that time Mr Jinnah waited to see what the Congress would do, and when the Congress notified its rejection of Sir Stafford Cripps' offer, Mr Jinnah also did the same.

The British Government, too, has contributed to the enhancement of Mr Jinnah's prestige. For instance, if the British Government had adopted a firm attitude, and if Lord Wavell had proceeded to form his Executive Council without the Muslim League then Mr Jinnah and his colleagues would have gradually faded into insignificance. Evidently, this is what the Congress leaders expected Lord Wavell to do. But they were so bamboozled by Lord Wavell that they forgot completely for the time being the fundamental basis of Britain's policy in India since 1906. That policy is to back the Muslim League against the Congress under all circumstances. If the Congress leaders had not allowed themselves to be fooled by Lord Wavell, they would not have accepted Lord Wavell's leadership, and they would not have offered unconditional cooperation to him. While the Congress leaders were completely misjudging Lord Wavell and were building castles in the air, Mr Jinnah was standing on '*terra firma*'. Either he had secret information or his political instinct told him that if he stood out, the Simla Conference would end in a fiasco. If Mr Jinnah had thought that Lord Wavell would proceed with his plans even without the Muslim League, I doubt what he would have done ultimately; like a realistic politician, because he did not want to take any risks, Mr Jinnah remained in Simla and attended the conference till the end to see what the upshot would be.

Friends! I shall now deal with the losses and gains of the Congress. As to gains, there have been none. Cultivating the friendship of the Viceroy, to which the All India Radio Special Correspondent referred as one of the gains of the Simla Conference, is not the task of the Congress. I may go so far to say that for an Indian Nationalist, cultivating the friendship of the arch-champion of British imperialism in India is not only improper but even criminal. To seek and foster friendship with one's enemies may be the work of Gandhi's flunkies or the method of moderate politicians, but it can never be the way of the Indian National Congress. As to losses, I am quite definite that while the British Government and the Muslim League have lost nothing but have gained much, the Congress has gained nothing but has lost much. I shall first deal with the actual losses, and I shall then refer to the causes thereof.

If the Simla Conference had been successful, that would have been a major political disaster for the Congress. From that disaster we have been saved by Mr Jinnah. Nevertheless, the Congress has come out of this affair with its prestige badly damaged. There was absolutely no reason why this should have happened, because strategically the Congress was in the strongest position. To an outside observer, and in contrast with Mr Jinnah, the Congress leaders appeared to be morally weak, diplomatically inefficient and politically short-sighted, but that does not mean that the Congress leaders are inherently of a low stature. On the contrary, the average Congress leader is normally of a high moral and political stature. He can very well hold his own against any other politician, whether inside India or outside. But on this occasion the Congress leaders lost their balance and were carried away by their excessive eagerness for a compromise, which made them morally weak, diplomatically inefficient and politically short-sighted.

If they had been honest and reserved from the very outset, as Mr Jinnah was, they would not have exhibited any moral weakness, nor would they have committed any political blunder. From the moment Lord Wavell made his speech on 14th June 1945, the Congress leaders almost without exception began to show so much eagerness and enthusiasm for a compromise that it appeared as if their backbone was broken and they were dying for a compromise. This moral weakness was one of the two causes which accounted for the loss of prestige of the Congress. Exhibition of weakness on the part of a nationalist leader is not only morally bad, but also politically unwise. For successful bargaining it is absolutely necessary to be strong, to keep up a show of strength while negotiating and to conduct oneself with dignity, caution and reserve.

In saying that the Congress leaders exhibited moral weakness I am not giving expression to my personal reaction or to the reaction of Indians in East Asia. I am only stating the reaction of

Indians in East Asia. I am only stating what the reaction throughout the world was. To illustrate my point, I am quoting below a report sent out from Bombay by a news agency on 17th June, which was typical of the numerous reports that were sent out from India for world consumption:

Bombay, June 17: So far there has been no jarring note in the chorus of greeting from Bombay circles to the spirit of the Viceroy's appeal for co-operation had goodwill in resolving the Indian deadlock. Gandhi has taken his share of responsibility in the initiation of the formula, which he believed was the basis of the Viceroy's plan. He said that the Conference of Indian leaders at Simla on 25th June can do much good, if those invited, attend it in a proper spirit.

Next in importance to Gandhi's initial reaction was the possible reaction of members of the Congress Working Committee after their release. None of them in their statements after release from jail, has given any indication of hostility to Wavell's move. The nearest approach to aloofness were comments from the General Secretary of the All-India Congress Committee, J.B. Kripalani, who said, 'If you don't get good artistic pictures, does it mean you should decorate your house with inartistic pictures'? Neither Maulana Abul Kalam Azad, President of the Congress, nor Pandit Jawaharlal Nehru, former President, made any reference, on their release, to the political situation, in India apart from mentioning the Bengal famine. Not a single Congress leader has called into question the sincerity of the present proposals.

So friends! This is one of the numerous reports that have been sent out from India for world consumption. The other facts responsible for the Congress Party's loss of prestige were diplomatic inefficiency and political short-sightedness. The Congress Working Committee rushed headlong along the path of compromise, throwing to the winds all caution and reserve. The forthright Congressmen were brushed aside. Independence was forgotten. The anti-war policy of the Congress since 1927 was ignored. The anti-war movement launched in 1940, and further strengthened in 1942, after the adoption of the 'Quit India Resolution', was given the go-by. And all this was done behind the back of the All-India Congress Committee and the Congress. The Congress Working Committee which is an executive body, exceeded its legal powers and its moral responsibility in diverting the national struggle for complete independence towards the path of compromise with the British Government and of wholehearted cooperation in Britain's imperialist war.

What is even more strange is that while diverting the national struggle for complete independence towards the path of compromise with the enemy and of cooperation in the enemy's war effort, the Congress leaders became completely oblivious of the ordinary canons of diplomacy and statesmanship. They went on making commitment after commitment. Lord Wavell's offer was accepted unconditionally. His leadership was assured of unconditional cooperation even if the other parties backed out, which meant that the Congress was prepared to go further than other parties in the matter of co-operation with the British Government. But by making so many dangerous and unilateral commitments, the Congress leaders did not secure any commitment from Lord Wavell. Mr Jinnah acted otherwise. Not only was he constantly reserved from the beginning, but from the moment of his first interview with Lord Wavell, he demanded a guarantee that all the seats reserved in the Executive Council for Muslims should go to the Muslim League. It did not strike the members of the Congress Working Committee that before surrendering to Lord Wavell, they also should obtain an assurance from him that he would not let them down at the last moment, and that if the Muslim League did not cooperate, he would still proceed with the formation of the Executive council.

After the Congress leaders reached Simla, they knew very well that Mr Jinnah was insisting on the above guarantee from Lord Wavell, before committing himself about participating in the new Executive Council. Consequently, there was no excuse, whatsoever, for their not asking for a similar assurance from Lord Wavell, before offering to cooperate with him. Is it then to be argued that the Congress Working Committee did not ask for the above assurance from Lord Wavell,

because they believed in his sincerity and were convinced that he would not let them down at the last moment? But to argue thus, would mean complete ignorance of Britain's fundamental policy in India, and the true character of British politicians, as well as complete ignorance of the art of diplomacy.

If the Congress leaders made a mistake at the beginning, there was still time to rectify it during the three weeks that they spent at Simla, during which the Muslim League's attitude was becoming increasingly clear. Consequently, before the last scene of the Simla drama was enacted, there was plenty of time to retrace one's step and withdraw the offer of cooperation, on the ground that Lord Wavell was not prepared to guarantee that he would proceed with his plan even if the Muslim League did not cooperate. What actually happened was that after the Congress leaders had repeatedly committed themselves to a policy of unconditional cooperation, they were out. The Muslim League's non-cooperation was one slap in the face of the Congress, and the other slap was administered by Lord Wavell when he refused to move any further, in view of the Muslim League's non-cooperation.

Before the curtain was finally rung down on the Simla Conference, the Congress Working Committee got another opportunity for retrieving its lost prestige. But that opportunity too was not availed of. In the panel of names that were submitted by the Congress Working Committee, one or, perhaps, two Congress Muslims had been included. News Agency reports said that Maulana Abul Kalam Azad's name had been included in the panel. Be that as it may, Lord Wavell dropped the name or names of the Congress Muslims, and offered four seats to the Muslim League, and one seat to the Punjab Unionist Party. Consequently, the Congress Working Committee had sufficient justification for backing out of the whole affair. The fact that no objection was raised by the Working Committee to the exclusion of Congress Muslims from the Executive Council cannot be easily passed over, since it shows that the Working Committee was prepared to sacrifice the claims of the Congress Muslims, in order to somehow arrive at a compromise with Lord Wavell.

Other mistakes were also committed by the Congress representatives. Firstly, when statements were made by Pandit Jawaharlal Nehru and others to the effect that the Congress must come to an agreement with the British Government, Lord Wavell's mind was immediately put at ease. Thinking that the cooperation of the Congress had been assured, Lord Wavell then concentrated his whole attention on placating the Muslim League. Secondly, by spending long hours, and even days, in preparing the panel of names for the Viceroy, without first making sure what Lord Wavell's real intentions were, the Congress Working Committee showed a lack of realistic approach. Thirdly, as stated by Pandit Jawaharlal Nehru at a public meeting held at Simla on 16th July, the Congress representatives did not even raise the question of the release of political prisoners at the Simla Conference. Even more objectionable than this attitude of the Working Committee was Pandit Nehru's justification of it when he said that the Congress representatives did not raise the question, because he did not want to be accused of being a stumbling block. After the failure of the Simla conference, the Congress President issued a statement blaming the Muslim League and the British Government for the failure. But it was too late in the day to do so. Both the Muslim League and the British Government represented by Lord Wavell did what was anticipated of them. In fact if either of them had acted otherwise, it would have come as a surprise to us. The Congress President and other members of the Congress Working Committee should blame themselves for not being clever or shrewd enough to foresee what the Muslim League and Lord Wavell would do.

Did the Congress Working Committee think that Mr Jinnah would go into the Executive Council unless he was absolutely sure that by doing so he would realise his dream of Pakistan? Did the Congress Working Committee also anticipate that Lord Wavell would give up the Muslim League and support the Congress? If anybody in the Congress anticipated either of these two

things then he certainly lacks the elementary knowledge of Indian politics. Two things should have been clear to every Congressman at the very outset. Firstly, that Mr Jinnah would not accept any interim arrangement which would not ensure the realisation of Pakistan; and secondly, that the British Government would never let down the Muslim League.

When the negotiations were going on at Simla, to an outside observer it seemed that one of the reasons why some of the members of the Congress Working Committee were so enthusiastic about Lord Wavell's offer was that they thought that he would back the Congress, even if the Muslim League did not come forward to cooperate. At that time, I told many of my friends here that they were misjudging Lord Wavell altogether. I also told them that however friendly Lord Wavell might, outwardly, appear to be, he was but an instrument of the policy of British Imperialism. That policy, clearly, is to artificially create and carefully foster religious differences and then back the Muslim League under all circumstances. What I anticipated then had now come out to be true. As a matter of fact, if Lord Wavell and the British Government had backed the Congress against the Muslim League, it would have come as a complete surprise to us, for it would have meant a complete revolution in Britain's policy in India, and such a revolution is unthinkable.

To sum up, I should repeat that the Congress Working Committee has come out of this experience with its prestige greatly impaired. Strategically the Congress was in the strongest position. It was the only party that was fighting the British Government. Many of the Congress leaders went to Simla straight from prison, with a halo around them. Is it not, therefore, heartbreaking to see how they used, or rather disused, their personal popularity, as well as the strategically strong position of the Congress in their negotiations with Lord Wavell?

Friends! Tonight's talk has become too long and I must, therefore, stop here. And I have dealt with only the first part of my discourse on the 'Lessons of the Simla Conference', concerning the losses and gains of the major parties attending that Conference. Tomorrow I shall deal with some deeper problems: firstly as to why the Congress Working Committee rushed in to cooperate with the British Government; and secondly, as to what permanent lessons we can derive from this unfortunate experience. Before I close, I should like refer to one other matter. At a time when things were looking gloomy, and the Congress leaders seemed to be bent on a compromise with the British Government, I made a remark that our only hope of averting a catastrophic disaster lay in Mahatma Gandhi. Though that hope has not materialised, nevertheless, I should gratefully admit that what saved the prestige of the Congress to a certain extent was the attitude of reserve adopted by Mahatma Gandhi after his arrival at Simla. In fact, I have the impression that Mahatmaji was personally not enthusiastic about Lord Wavell's offer or the Simla Conference, but that he was carried away by the enthusiasm of some members of the Congress Working Committee. As for the future I appeal to Mahatma Gandhi to so guide the Congress that the Simla experience will not be repeated again. We have lost much through this unhappy episode, and much effort will be required before we can recover what we have lost, But there will be some consolation for us if we learn the lessons of the Simla Conference and derive the fullest benefit out of them.

Jai Hind!

¹ The Heads of Big Three, that is, President Harry Truman of United States, Prime Minister Winston Churchill of Great Britain and Generalissimo Joseph V. Stalin of USSR met in Potsdam from 17th July to 2nd August 1945, to confer on plans for re-establishing peace. (After 28th July, Clement Attlee, Head of new British Labour Cabinet, replaced Churchill.)



33. 'Lessons of the Simla Conference IV'

Broadcast by Subash Chandra Bose, Shonan, 20 July 1945.

GOI, Home Dept, INA Papers, File No. 54/INA/7510, NAI.

Sisters and Brothers in India!

Yesterday I spoke to you about losses and gains of the major parties participating in the Simla Conference and, in that connection, referred at great length to what the Congress had suffered as a result of that experience. I should now like to refer to the reasons which led the Congress leaders to accept unconditionally Lord Wavell's offer and participate in the Simla Conference. Their attitude took us completely by surprise and ever since the announcement of that offer, I was racking my brains day and night in order to understand what could have induced them to adopt such an attitude. Perhaps my countrymen at home were not surprised at the strange attitude of the Congress leaders, to the extent that we in East Asia were. But all those Indians who are not living under British domination and who are not influenced by day-to-day British propaganda were not only surprised, but greatly shocked at the reaction of the Congress Working Committee to Lord Wavell's offer. The reaction of Indians living in the United States of America and in Britain also fell far short of our expectations. They did not stand up boldly and unflinchingly for complete independence, as one would have expected them to do. To take one small example, the attitude of the Indian Majlis of the Cambridge University was something which I would never have expected and which could not have been possible even a quarter of a century ago, when we were students at Cambridge.

After days and weeks of deep deliberation, the only explanation that I could find for the sudden change in the policy of the Congress leaders was that they were overwhelmed by a feeling of pessimism and defeatism. It was no ordinary pessimism or defeatism that took possession of them. To forget the goal of the Congress, viz., Independence, to forget the anti-war policy of the Congress since 1927, to forget the anti-war movement launched in 1940, to forget the 'Quit India' resolution in 1942, the countrywide campaign that followed it could not have been an easy affair. From the climax of 1942, the plunge into the anti-climax of 1945 could have been possible only because of thorough-going pessimism and defeatism.

But whence came this soul-destroying pessimism and defeatism? It must have been the work of Anglo-American propaganda. Anglo-American propaganda, following in the wake of the Anglo-American victories in Europe and the far East, scored a great success. It demoralised the Congress leaders and made them think that the war would surely end in a complete victory of the Anglo-Americans. Since all was lost and there was no hope of achieving complete independence, the Congress should try to make the best of a bad situation and take what it could get from the British Government.

In some of my previous talks I made it clear that we in East Asia were in a position to survey the world situation objectively, without being influenced by Anglo-American propaganda. Our appreciation of the world situation was different from that of pessimists and defeatists at home. In our view, it was by no means certain that the Anglo-Americans would win the war in East Asia. The future campaign in the Far East would, in any case, be a long and sanguinary one and many surprises would be in store for the world during the course of that campaign. So long as the present war continued, there was no room for pessimism on the part of the Indian people and they should continue their struggle for liberty with unabated vigour and undimmed hope both inside India and outside. The week-kneed policy of the Congress Working Committee and its excessive concern for a compromise with the British Government was, in our opinion, the expression of its defeatist mentality. That defeatist mentality was the consequence of an entirely wrong

appreciation of the world situation. And that wrong appreciation of the world situation was the result of unscrupulous Anglo-American propaganda.

It is difficult to judge from here to what extent, if at all, the defeatism of the Congress leaders has permeated the rank and file of the Congress, or the general public. But I am sure that in any case there is a large section of Congressmen who will never succumb to defeatism and will always keep the flag of independence flying. It is unfortunate that there is no representative or spokesman of this section of Congressmen—I mean, of Left Wing Congressmen—on the present Working Committee. At one time, it was ardently hoped that so long as Pandit Jawaharlal Nehru remained on the Working Committee, the voice of the Left Wing would be heard there. But, since the outbreak of the present war—and particularly since Sir Stafford Cripps' visit to India—Pandit Nehru's attitude towards Britain's imperialist war has been an enigma to many, while it has been a source of great disappointment to the Left Wing of the Congress. Since the Congress Working Committee did not have any representative of the Left Wing it was all the more necessary that it would be thrice cautious in taking a retrograde step that would set at naught the fundamental principles and resolutions of the Congress and take the Congress back to the policy of the 'Moderates'. While the defeatist mentality and compromising attitude of the members of the Working Committee came as a rude shock to us, even more shocking was the headlong manner in which they rushed along the path of compromise—throwing to the winds all caution, reserve and even decency. What the rank and file of the Congress should never forget and what they should drive home in the proper quarters is that the Working Committee exceeded its powers in committing the Congress to a policy which meant a complete political somersault. It is necessary to do this in order to prevent a repetition of the Simla episode. We shall be making a mistake if we think that we have heard the last word about Lord Wavell's offer. On the contrary, I am absolutely sure that owing to reasons, to which I shall refer subsequently, the British Government, and its mouthpiece, Lord Wavell, will be forced to make a further attempt to solve the Indian question in their own way. Consequently, we have to see to it that the mistakes of the past are not repeated in future.

While it is true that all the members of the Congress Working Committee were overcome by pessimism and defeatism, their outlook was not the same in all matters. On the extreme right, there stood Sri Bhulabhai Desai who was in favour of unconditional cooperation with the British Government and surrender to the Muslim League. He advocated appointing Lord Wavell as the arbitrator in order to solve the deadlock between the Indian parties—which meant that he was in favour of making the Viceroy the arbiter of India's destiny. There is nothing to distinguish Sri Bhulabhai Desai—or Sri C. Rajagopalachari—from a member of the Liberal Federation. They represent a school of thought that is altogether out of date and is now a political anachronism.

Maulana Abul Kalam Azad, the Congress President, and Sardar Vallabhbhai Patel were of the opinion that through a compromise, the Congress could gradually work its way towards independence. They were probably thinking that since the general war situation had become favourable to the Anglo-Americans and since the Civil Disobedience movement at home had fizzled out, a shortcut to freedom was necessary. Now can we expect that when we have failed to achieve success through a struggle, we shall be able to achieve it through a compromise with our enemy? If we fail in one attempt, we have to try, try and try again. There is no shortcut to freedom. India's freedom can be won only through the historic method which revolutionaries have followed all over the world.

In one of his statements during the Simla Conference, Maulana Azad is reported by the All India Radio to have said that he was completely satisfied that if Lord Wavell's offer was accepted, it would lead to the calling of a Constituent Assembly. I rubbed my eyes when I read that and I asked myself if the same thing could not be said of Sir Stafford Cripps' offer rejected in 1942? The

problem for India is not how to get a Constituent Assembly. There are constituent assemblies and constituent assemblies. The British can easily get for us a Constituent Assembly which will be a bigger battleground for the Indian people and Indian parties. If we want a Constituent Assembly at all, we must convene it on the right basis and under conditions which will be conducive to success. This means that we must first forge the sanctions which will compel the British Government to agree to the convening of a Constituent Assembly of the right type. Such a Constituent Assembly will never come through the acceptance of Lord Wavell's offer.

Inside the Congress Working Committee there was a third school of thought represented by Pandit Jawaharlal Nehru who was keenly interested to see that India was represented at the Council of the United Nations and who, therefore, heartily welcomed Lord Wavell's offer. According to his own statement, Pandit Nehru, during his long talk with Lord Wavell, discussed post-war problems and hardly touched the burning question of the day for which the Simla Conference was meeting. This could only mean that Pandit Nehru regarded Independence—or self-Government—as an accomplished fact and thought that the only problem to worry about was how India could play her part in post-war reconstruction. Such lack of realism has become increasingly marked in Pandit Nehru of late. The problem for India is not whether she would be represented by Sir Ramaswami Mudaliar or Pandit Jawaharlal Nehru at international conferences. The problem is as to whom they should represent. Should they represent a free India or should they represent Lord Wavell? So long as India remains enslaved, she will gain nothing by Pandit Jawaharlal Nehru—or any other Congress leader—representing her at international conferences.

In his eagerness to see that India played a role in international affairs, Pandit Nehru recently said that India was entitled to play an important part in world affairs, because she had a long record of non-aggression and peace. But I wondered if Pandit Nehru was really so naive and unsophisticated as not to realise that the non-aggression and peace of which he boasted could very well be called slavery and demoralisation. The problem for India is Freedom and nothing else. Once India is free, she will automatically play a role in international affairs. But Pandit Nehru is putting the cart before the horse in thinking of the Council of the United Nations before bringing about India's liberation.

Friends! I said above that there was one feature common to all members of the Working Committee—namely, a sense of pessimism and defeatism. But I wonder if there was not another feature common to all of them, namely that they were all thinking of a shortcut to independence—through a compromise with the British Government. This latter point should be investigated by friends at home. I hope I am wrong. But if my conjecture is correct, then it means that there is every danger that the members of the Congress Working Committee may gradually turn their back, once for all, on the thorny path of struggle and take to the easy path of compromise—which is the path of the Liberal Federation and not of the Indian National Congress. In any case, one thing is clear. There is much confusion of thought and lack of ideological clarity in the topmost ranks of the Congress—and so long as this continues, bold and daring leadership will not be forthcoming.

In the light of what I have said above, we can now proceed to draw the lessons of the Simla Conference. First of all, we must open the eyes of our countrymen to the fact that some of them have become victims of pessimism and defeatism and that this is the fundamental psychological cause of the present tendency towards a compromise. If we want to clarify the political atmosphere in India and prepare for the next phase of the struggle, we must exorcise the enemy that has taken possession of our souls. Until we do that, we cannot make any advance towards our goal of liberty. To get rid of pessimism and defeatism is the first step towards getting rid of the British domination of India. I desire to emphasise this point, because of two reasons. Firstly, there is a danger that in

spite of the failure of the Simla Conference, pessimism and defeatism may continue to rule the minds of the Congress leaders. Judging from the recent statement of Maulana Azad at Calcutta and of Pandit Nehru at Lahore, it appears that there is a tendency on the part of some members of the Working Committee to justify their action in accepting Lord Wavell's offer and participating in the Simla Conference. Pandit Nehru, for instance, is reported to have said at Lahore on 17th July that the Simla Conference had failed in spite of the fact that the Congress Working Committee had wanted it to succeed. This means that the Working Committee may, in an ostrich like manner, still try to shut its eyes to the glaring inconsistency between its policy in 1942 and its policy today.

The other reason why I want to emphasise the necessity of carrying on a systematic anti-defeatist propaganda is that the British Government may again attempt a solution of the Indian problem in its own way. In my previous talks, I pointed out that no matter whether the Conservative Party comes to power as a result of the recent general election or the Labour Party the British Government cannot afford to let the Indian deadlock continue. If the stalemate in India continues, India will automatically remain an international issue, leaving the door open for any friendly power to espouse India's demand for independence. Although Britain has gained morally as a result of the Simla Conference and will endeavour to throw the responsibility for the Indian deadlock on Indian shoulders, she cannot, nevertheless, afford to remain passive. Consequently, before the British Government again initiates a compromise move, we must clarify the political atmosphere of India and expel pessimism and defeatism from the minds of our countrymen. If we do not do so, then the Simla episode will repeat itself, when the British Government makes the next compromise move.

Secondly, we must have clarity in our ideology and in our method of struggle. The Congress Working Committee should be asked to take the country into its confidence and lay down a plan of work for the future, which will lead to the attainment of independence. If we succeed in obtaining this clarification from the Working Committee, then we shall be able to avoid many pitfalls in future. In a political movement, there is nothing so dangerous as groping in the dark. It may not be easy to obtain the required clarification from the Working Committee, but a persistent demand should be made.

Thirdly, the Left-Wing movement in the Congress and in the country should be reorganised. If this is not done, then the danger of a compromise will always remain. An organised Left-Wing movement is the surest and safest guarantee against any compromise with British Imperialism. We have learnt from our recent experience that the Congress leaders could rush headlong towards a compromise, because there was no organised opposition to stop them from doing so. Since the Left Movement in India reached its high watermark in 1939, many changes have taken place and many erstwhile Leftists have become ultra-Rightists. Consequently, the Left-Wing movement in India needs reorganisation without delay.

Fourthly, the foreign policy of the Congress needs clarification and modification. Too much latitude has so far been given to certain leaders to speak in the name of the Congress and this has not brought any benefit or advantage to India. Under the influence of high sounding slogans and under the plan of lining up with the progressive powers of the world the Congress has been slowly but surely dragged towards a policy of cooperating with British imperialism and participating in Britain's imperialist war. In this connection, I would like to ask Pandit Jawaharlal Nehru if he is against our taking help from Japan alone or he is against taking foreign help altogether. If he is against taking foreign help on principle, then I would like to know of one single instance where an enslaved nation has recovered its lost liberty without foreign help of some sort. I would also like to know if Pandit Nehru would be prepared to give up his foreign contacts—and especially his contacts in the camp of our enemies. Or will he insist on fighting Fascism abroad while shaking

hands with Imperialism at home. On this topic, I have much to say, but I shall reserve my remarks for another occasion. In the meantime, I would request Pandit Nehru to clarify his foreign policy and its underlying principles.

Fifthly, the Congress should send a deputation outside India, consisting of a few outstanding leaders, to bring India's case before the bar of world opinion. I realise that the British Government may not easily agree to this, but it will be an acid test of Lord Wavell's sincerity. If Britain has a clear conscience about India, then the British have nothing to fear if Indian leaders go abroad. On the other hand, if the British Government does not allow a Congress deputation to go abroad, it will prove that the British have a bad conscience about India.

Sixthly, a strenuous propaganda should be carried on to convince the Indian people that only those who fight for India's freedom are entitled to speak for India. From the ethical and political point of view, it is the Congress alone that is entitled to represent India. But owing to our own weakness and to British stratagem, we have been thwarted, again and again, by other parties who have never fought for India's freedom and who have no right to sit at a Round Table Conference. But this must now stop.

The Congress is the only party in the country that is fighting the British Government and is, therefore, the only party that is entitled to sit at a round table conference with that Government. The Congress should never in future sit at a round table conference with the British Government along with any other party. A peace conference is always a conference of the belligerent parties. Who, may I ask, are the belligerents on the Indian side? Certainly, not the Muslim League. The importance of the Muslim League is largely of an artificial nature—created, on the one hand, by the British Government and by the Congress on the other, by giving so much attention and importance to the Muslim League. If the Muslim League goes through our campaign of Civil Disobedience against the British Government, I should like to see what will remain of the Muslim League at the end. Let us resolve to do in future what the Sinn Fein Party in Ireland did in the past, when it was faced with a similar situation. When Prime Minister Lloyd George wanted to confound the Irish politicians by sponsoring an Irish Convention—similar to our Round Table Conference or Simla Conference—the Sinn Fein leaders refused to walk into the trap. They claimed, and rightly too, that they alone were entitled to represent Ireland, who fought for Irish freedom. The Sinn Fein Party, accordingly, boycotted the Irish Convention and thereby turned it into a fiasco. Thereafter, the Sinn Fein Party continued the struggle until the day arrived when the British Government had to recognise that party as the sole representative of the Irish nation. Let us, similarly, carry on our struggle till the day arrives when we and we alone shall be entitled to speak in the name of the Indian Nation. It is useless to think of peace until we reach that stage. If we try to make peace with the British Government before the Congress reached that stage, we shall land ourselves, not in peace but in civil war.

Seventhly, while we should resolve not to allow the British Government to use the Muslim League—or any other party—as a counter-weight against the Congress in future, we should once again lay before the country our solution of the communal problem. I am glad to find that Pandit Jawaharlal Nehru has started propaganda on this question at Lahore, but it has to be carried on all over the country in a systematic manner. To my mind, there are, briefly speaking, three ways of solving the communal problem; firstly, the method of joint electorates, etc., which has been advocated by Indian nationalists of all religions; secondly, the method advocated by the now defunct League of Nations; and thirdly, the method adopted in the Soviet Union. I believe that the method adopted in the Soviet Union has proved to be eminently successful in many ways, although the problem there was much more difficult and serious than in India. The differences in race, religion and nationality are, at least, ten times greater in Soviet Russia than in India. Nevertheless,

unity has been possible there and the Soviet Union is now one of the foremost powers of the world. The communal problem will be easily solved in India once the enemy is expelled from the soil of India. So long as he remains, national unity will be impossible. It is really putting the cart before the horse to say that without national unity, freedom cannot be achieved. In reality, until India is free and British are out of India, national unity cannot be established.

Whatever solution we ultimately find to be sound and suitable for India, one thing is to be clear—namely, that Pakistan cannot solve the communal question. Even if the Pakistan plan is given effect to, the communal question will still remain unsolved in all the states that will come into existence. On a subsequent occasion, I propose to speak to you at length on Pakistan and I shall speak to you without passion or prejudice, from the purely practical point of view. Meanwhile, I only want to tell you that while seeking a lasting solution of the communal problem, you may remember that here in East Asia, we have no communal problem. Indians of all religions are united as one man for the service of India and for the achievement of India's independence. And among the multimillionaire Indians who have set an example of total sacrifice, the most outstanding is a Muslim gentleman. This has further convinced us that once we are out of British influence, the solution of the communal problem is not only possible, but even easy.

Eighthly, it is absolutely necessary that nationalist Muslims should organise themselves properly. They have such a strong case and they have outstanding leaders to guide them, that, once they are organised properly, they will be able to meet the challenge of the Muslim League.

Ninthly, the country should not adopt a passive attitude towards the Muslim League as has been the case up till now. We should frankly ask the Muslim League how Pakistan can solve the communal question. We should also challenge the claim that the Muslim League has been making about its following. The majority of Muslims in Bengal and the Punjab are against Pakistan. In the Frontier Province, the nationalist Muslims form an overwhelming majority. Among the provinces where there is a Muslim majority in the population, the only doubtful case is perhaps that of Sindh. In view of these irrefutable facts, the claim of the Muslim League that the majority of Indian Muslims want Pakistan is altogether unjustified. Recently, Professor Humayan Kabir of Calcutta has done some useful propaganda in exposing the hollowness of the Muslim League's contention regarding Pakistan. But it is high time that this propaganda was conducted in a systematic manner and all over the country.

There is another important point on which we should challenge the Muslim League and that is with regard to its social and economic programme. The Muslim League is led at present by millionaires, capitalists and landlords. Will the Muslim masses be better off under a Raj which the present Muslim League leaders will control, or will they be better off under a national government which will guarantee the rights of the people including their economic rights? Pandit Jawaharlal Nehru was perfectly right when he said that the conflict between the Muslim League and the Congress represented a conflict between medievalism and modernism. The Muslim League wants to put back the hands of the clock. This is against the spirit of the time and no progressive Indian—whether Muslim or non-Muslim—can possibly accept the policy and programme of the Muslim League.

Friends! This brings me to the last point in my talk of tonight. I believe that the time has come for the Congress to adopt frankly and openly a socialistic programme. It must be 'full-blooded' socialism, as Pandit Nehru used formerly to advocate, and not 'progressive' socialism as he now seems to approve. India's problem can be solved only on a socialistic basis. Moreover, Socialism will cut across all religious and sectarian differences, help to foster national unity and thereby contribute towards solving the communal problem. Indian political and economic thought today

is predominantly socialistic. Consequently, there is no reason why the Congress should delay further in adopting a socialistic programme.

Friends! I have come to the end of my discourse on the lessons of the Simla Conference. Before I close, I should like to say one word by way of apology. I have said much in criticism of the Congress Working Committee, but it did not gladden my heart to do so. To criticise the Congress is to criticise oneself. When I speak of the Congress, I do not speak as an outsider. The Congress is bone of my bone, and flesh of my flesh. As a humble servant of the Congress I have since 1921, tried to give the best that I was capable of in the service of the Congress. Consequently, when I see the Congress Working Committee adopting a policy and an attitude that is not only harmful to India's cause, but even fatal in its effects, I feel pained more than words can express. As human beings we are capable of mistakes but we have to learn from our mistakes, so that we can avoid similar pitfalls in future. It is in this spirit that I am addressing you from across the seas on the lessons of the Simla Conference. There is one other consideration which is in my mind when I address you on this topic. I do not speak to you as an arm-chair politician. For arm-chair politicians, I have nothing but contempt. I and all those who stand with me today are prepared to meet death at any moment. Many of those who commenced the struggle with me are no longer in the land of the living. They have given their lives so that India may be free, and they have taken their places in the ranks of the immortal heroes of Azad Hind. Among those who live today, many have been through danger of every sort, including bombing, shelling, and machine gunning of the worst type. It is because we are engaged in a struggle in which we are resolved to pay the price of liberty with our own blood, that we are entitled to speak to you, and you are obliged to listen to us.

Jai Hind!

34. 'Remain True to India'

Special Order of the day by Subhas Chandra Bose, Supreme Commander, Azad Hind Fauj, Shonan, 15 August 1945.

GOI, Home Dept, INA Papers, File No. 75/INA/7510, NAI.

To Officers and Men of the Azad Hind Fauj

Comrades,

In our struggle for the independence of our Motherland, we have now been overwhelmed by an undreamt of crisis. You may perhaps feel that you have failed in your mission to liberate India. But let me tell you that this failure is only of a temporary nature. No setback and no defeat can undermine your positive achievements of the past. Many of you have participated in the fight along the Indo-Burma frontier and inside India and have gone through hardship and suffering of every sort. Many of your comrades have laid down their lives on the battlefield and have become the immortal heroes of Azad Hind. This glorious sacrifice can never go in vain.

Comrades, in this dark hour I call upon you to conduct yourselves with the discipline, dignity and strength befitting a truly Revolutionary Army. You have already given proofs of your valour and self-sacrifice on the field of battle. It is now your duty to demonstrate your undying optimism and unshakable willpower in the hour of temporary defeat. Knowing you, as I do, I have not the slightest doubt that even in this dire adversity you will hold your heads erect and face the future with unending hope and confidence.

Comrades, I feel that in this critical hour, thirty eight crores of our countrymen at home are looking at us, the Members of Indian Army of Liberation. Therefore, remain true to India and do not for a moment waver in your faith in India's destiny. The roads to Delhi are many and Delhi

still remains our goal. The sacrifices of your immortal comrades and of yourselves will certainly achieve their fulfillment. There is no power on earth which can keep India enslaved. India shall be free and before long.

Jai Hind!

35. 'India Shall be Free and Before Long'

Subhas Chandra Bose's Message to Indians in East and South East Asia, Saigon, 17 August 1945.

GOI, Home Dept, INA Papers, File No. 75/INA/7510.

Sisters and Brothers,

A glorious chapter in the History of India's struggle for Freedom has just come to a close and, in that chapter, the sons and daughters of India in East Asia will have an undying place.

You set a shining example of patriotism and self-sacrifice by pouring out men, money and materials into the struggle for India's Independence. I shall never forget the spontaneity and enthusiasm with which you responded to my call for 'Total Mobilisation'. You sent an unending stream of your sons and daughters to the camps to be trained as soldiers of the Azad Hind Fauj and of the Rani of Jhansi Regiment. Money and materials, you poured lavishly into the War Chest of the Provisional Government of Azad Hind. In short, you did your duty as true sons and daughters of India. I regret, more than you do, that your sufferings and sacrifices have not borne immediate fruit. But they have not gone in vain, because they have ensured the emancipation of our Motherland and will serve as an undying inspiration to Indians all over the world. Posterity will bless your name, and will talk with pride about your offerings at the altar of India's Freedom and about your positive achievement as well.

In this unprecedented crisis in our history, I have only one word to say. Do not be depressed at our temporary failure. Be of good cheer and keep up your spirits. Above all, never for a moment falter in your faith in India's destiny. There is no power on earth that can keep India enslaved. India shall be free and before long.

Jai Hind!



Chapter 2. For Freedom and Against Repression

1. Jayaprakash Narayan Protests Against Inhuman Treatment in the Lahore Fort

Petition to the Chief Justice of the Lahore High Court, 2 day of January 1945.

Jayaprakash Narayan, *In the Lahore Fort*, Patna, 1947, taken from *Selected Works of Jayaprakash Narayan*, Vol. III, Delhi, 2003, p. 148.

Note by Narayan:

This is the third petition I had made to the High Court on 2 January 1945. It was heard on 31 January 1945 and I was transferred from the Lahore Fort to Agra Central Jail the next day. The petition, of course, was rejected on the ground that, as the Central Government had informed the Court through the Assistant Solicitor General, who was present at the hearing, that the Government had decided to transfer me to an ordinary jail outside the Punjab, and, as the charge of maltreatment and torture related to incidents that took place more than a year before, the Court saw no reason to entertain the petition. The presiding Judge went further and remarked that the purpose of the petition had been served in as much as I was to be transferred soon to an ordinary prison. The purpose, however, had not been served at all. My main purpose in petitioning to the High Court was to bring out the dark and sordid facts relating to maltreatment of detainees in the CID. Fort, Lahore, and to make it possible for a court of law to examine those facts and pronounce a judicial verdict. The Lahore High Court, however, proved to be too much under the thumb of the Provincial Executive, for it refused to take notice of the serious complaints made by me and Dr Rammanohar Lohia, whose *habeas corpus* petition too was rejected the same day by the same court.* The Provincial Government on its part had promulgated a special ordinance prohibiting any news of the hearing from being published in the press. In the court itself nobody except High Court advocates and barristers were allowed. For the rest the petition will speak for itself.

To

The Hon'ble the Chief Justice¹

High Court of Judicature

Lahore

Your Lordship,

At the risk of causing annoyance to Your Lordship, I beg again to make the following submissions with regard to my *habeas corpus* petition which was disposed of by Mr Justice Munir on 4 December

1944. Before I proceed to make my submissions I should like to express my thanks both to Your Lordship and Mr Justice Munir for the rehearing of my petition which had been rejected once before.

(1) It is my misfortune that even at the second hearing, though I was represented by my counsel, my case failed to be presented correctly due to the fact that I had refused to instruct my counsel within the hearing of the police. It appears that I was under a misunderstanding and so was Mr Kapoor,² my counsel. I understood from him that even if the Court refused to permit me to instruct him without the police listening in, I would get a chance again to interview him and instruct him if I then wanted to do so under the conditions prescribed. I had thought then that I would take advantage of that opportunity as a second choice and make the best I could of it. It is not clear from the Court's order why a second chance was not given me, even though Mr Kapoor seems to have asked for it. Perhaps the language of the affidavit, which was rather categorical, was responsible. I wonder if the layman's language does not say things more clearly than legal forms of expression. However, I regret very much that I was unable in the end to instruct my legal adviser, with the result that my case could not be presented in the manner I wanted and to my better advantage. But I should like to make it clear that I am not making a grievance of it.

Here I should like, with Your Lordship's permission, to explain why I refused to proceed with my interview with Mr Kapoor. Firstly, I was under the impression that a prisoner had a right under the law to see his legal adviser alone, or, at least, without any officers of the State being within hearing distance. I wanted to exercise that right. There were two other considerations. The learned Judge writing on this point observes, 'Whatever information the petitioner had to give to Mr Kapoor could only have been intended to be publicly communicated to this Court and could well have been given within the hearing of the police. I do not see any real reason in the Petitioner's not letting the police hear what they were bound to hear a few days later.' I submit that this a very partial view of the matter. Let me describe the situation at the interview: there were two police officers present and there was a police shorthand writer sitting beside me. It was clear that whatever I or my counsel said, or the parts of it that interested the police, would be taken down verbatim. The whole affair looked more like a prisoner making a statement before the police than consulting his legal adviser. Now, when a defendant or complainant meets his lawyer, he does not merely lay before him facts that would be stated in the open court later, but also discusses all the points of his case. There are weak as well as strong points, there are pros and cons of every point, there is the manner of presentation of the case. All this requires a free and frank discussion between him and his lawyer. I too wanted to discuss frankly my points in all their aspects and seek and give advice. But this was impossible with the police officers listening in and the stenographer taking notes. Such a thing would be impossible anywhere in this country, but specially so in this province, where the state of civil liberties is so low and where the 'all-powerful Punjab CID' is such a terror even to the law-abiding citizen.

There is a third point in this connection which I wish to urge. My counsel after receiving instructions from me was to argue my case before the Court and the Crown Counsel; the Advocate General was presumably to attack it. Now, if all the details of my instructions to Mr Kapoor, including the notes of our discussion, were to reach the hands of the Crown Counsel before Mr Kapoor had a chance to appear in the Court, would it have been considered giving me and my counsel a fair deal? I do not think there was anything to prevent the police from supplying a copy of the notes taken at my interview to the acting Advocate General. I regret very much that these aspects of the question were not considered by the learned Judge.

(2) The second part of my submission relates to certain facts incorrectly stated in the judgment on my petition. I do not know who supplied these facts to the Court. If it was my counsels, they are

obviously not to blame because they could not have known them correctly. If, however, it was the Crown, I do not see why it should have been thought necessary to mislead the Court. Perhaps it is not vital to my case to correct these facts; yet it seems proper to me that the Court should be correctly informed.

I have never denied that I escaped from the Hazaribagh Central Prison in Bihar, but this was in the company not of one other prisoner but of five others. Further, this was not in 1943 but in November 1942. I was arrested at the Amritsar railway station as I was traveling by the Frontier Mail from Delhi to Rawalpindi, and the date was the morning of 18 September 1943. It is stated in the judgment that I was arrested at Lahore on 19 August 1943, presumably under Rule 29 of the DIR, and on 22 September my detention was converted into one under Rule 26 of the DIR. The facts concerning my arrest are wrong; I do not know if the facts relating to my detention are true, because no orders were served on me at that time. Further, I am not a member of the Congress Working Committee, nor was I when I escaped from the Hazaribagh Prison. In fact, except for a brief period in 1936, I have never been a member of that committee. I am particularly anxious to correct this information, as I do not wish the Working Committee of the AICC to be in any manner associated with my recent activities and views.

In this same section, I should like to narrate the succession of Government orders as they were served on me. The first such order was that of the Chief Secretary to the Punjab Government asking the IG (or DIG) Police to retain me in the Lahore Fort as a prisoner under the Bengal Regulations of 1818. This was about the middle of November, 1943, that is, as it now appears to me, only a few days after Mrs Purnima Banerji³ moved her application. I know nothing of the previous orders under Rules 29 and 26 of the DIR. The second order to be served on me was again an order of Mr Bourne, directing this time that I be detained there as a Security prisoner. This was the order of 1 July 1944, mentioned in the judgment. As for the order of Mr Sahay, Jt Secretary, Home Department, Government of India, I have no knowledge. Some time later, an order of the Central Government of 23 August 1944, signed by Mr Tottenham, was served on me directing that I be detained here in pursuance of an order already said to be in force under clause (b) of sub-section (1) of Section 3 of Ordinance III of 1944 and sub-section (4) of Section 3 of the same. The last order to be served on me was a few weeks ago and was dated 30 November and made by Mr Tottenham directing that order No. III/4143 MS of 27 June 1944 shall continue in force.

Thus far the orders. Here I should like to bring to your Lordship's notice a curious fact about the first order to be served on me. As I have stated already, this order, placing me in the category of a State prisoner, was served on me about the middle of November 1943. I do not exactly remember the date, but I am certain that it could not be later than the early part of the third week of November. I was made at that time to sign the order paper in question and I believe I also put down the date. Months later, when it was finally decided by the Punjab Government (or may be the Central Government) to make available to me all the privileges to which a State prisoner is entitled in this Province, Mr Robinson, Superintendent of Police, visited me on 1 February 1944, in order to communicate to me the Government's decision. I was informed, among other things, that I should get a monthly allowance of Rs 50 and that the arrears of this allowance beginning from the date I was made a state prisoner, would also be paid to me, plus an initial payment of Rs 50. He said that the sum in arrears, together with the initial amount, came to Rs 125, which would be credited to my account. At the moment I did not stop to examine the figure he mentioned. Later, when I did my own calculation, the sum in arrears appeared to be Rs 175 (initial payment Rs 50, plus Rs 25 for half of November, plus Rs 50 for December and Rs 50 for January). When I raised the matter with the local officer-in-charge, he told me that the official figure had been

computed as from the middle of December (i.e., initial payment Rs 50, plus Rs 25 for half of December plus Rs 50 for January). When I pointed out to him that I was made a state prisoner about the middle of November, he naturally admitted the incorrectness of the official figure, but appealed to me on grounds that he did not make clear not to pursue the matter. I was not at all concerned about the fifty rupees, and there being no reason to attach any significance to the matter, I, of course, dropped it.

Looking back, however, it is clear to me that somebody had a definite motive in letting it appear that I was made a State prisoner not soon after Mrs Banerji's application in the Lahore High Court, but much later, or possibly there was a different motive. But without the assumption of a motive of some sort, it does not appear that it could have been worth Mr Robinson's while to be made deliberately to deprive me of a paltry sum of Rs 50.

Here I should further like to draw Your Lordship's attention to the rather strange fact that, whereas the dates of all the orders served or not served on me, including the alleged order of 22 September 1943, have been disclosed to the Court and mentioned in the judgment, the date on which the order under the Bengal Regulations was made was apparently not stated, for it finds no mention anywhere in the present judgment.

I cannot say if this curious fact has any importance in relation to the subject-matter of my petition. I have stated it for what it may be worth. I should like again to say that I am not in the least concerned about the fifty rupees involved and wish to lay no claim to them.

I am unable to judge if this narration of facts in any manner affects the findings of Mr Justice Munir. That is for Your Lordship or the learned Judge himself to determine and for my counsel to argue, if any new point for argument does arise.

(3) Coming to the main part of my petition, namely, the legality or otherwise of my detention, I must say I have not the least competence to discuss the matter. Yet I should like briefly to state my case. Before I do so I should like to express my satisfaction that the Court rejected the Crown's contention that no order made under Ordinance III of 1944 came within the jurisdiction of the courts.

My counsels, in the absence of any instructions from me, have tried to present the case as best they could on the basis, I presume, of the information contained in my previous petitions. They attack the order of my detention on two grounds, namely, that the authority making the order was not competent to do so; secondly, that the order was made for a malafide purpose. The first ground was rejected on the presumption that authority must have been delegated to the Jt Secretary to the Government of India to make such orders. The presumption may be right; probably it is, but there is no positive proof for it. The second ground was rejected on the basis that there was no reason to presume that interrogation was the sole purpose of my detention, and further, that in any case there has been no interrogation after 10 December 1943.

My own case briefly put is as follows. I freely admit that, according to the law forcibly imposed over this country, my activities, both before and after my escape from prison, would be found to be aimed at disturbing the public order and interfering with the effective prosecution of the war. That I consider these activities to have been in the best interest of my country. It is a political view with which the law and the courts, as they exist here, have no concern. And I do not raise this question here, except to draw attention to it in passing.

In view of this, when I was arrested and detained, I never doubted that it was, as the phrase runs, with the purpose of preventing me from acting so as to disturb the public order and prejudice war efforts. It never was, nor is, my intention to seek release, or interference of the courts with my detention, on the plea that the charge against me were or are false. Yet I have caused your Lordship

and the Lahore High Court some inconvenience by making two petitions already, to which I am adding by writing a third.

My reasons even today, at least partly, are the same as were briefly indicated in my first petition. At the time Mrs Purnima Banerji had moved her application I had no knowledge of it, nor did I know that I had myself a legal right to move an application under section 491 to prevent the illegal and intolerable treatment to which I was then being subjected. I had, however, on numerous occasions in the course of the so-called interrogation, expressed a wish to write to Government about the matter, which I was not allowed to do. Indeed, looking back it seems to me that even if I had wanted to make a *habeas corpus* petition, I would have been disallowed, as I was disallowed to complain to Government. I believe it is only after the Pardiwala case that it has become possible for the prisoners in distress in this province to seek the protection of the law by means of a *habeas corpus* application.

It was months after Mrs Banerji's application had been disposed of that I came to know vaguely about it, though its full purpose I have learnt only from the present judgment of Mr Justice Munir. But I had learnt this much that her petition was dismissed because when the Bengal Regulations were applied to me, Section 491 ceased to have jurisdiction. So, when early in July I was converted again into a Security prisoner, I naturally suspected that the order under the Bengal Regulations was a hurried device to cloak some kind of illegality about my detention during those days. And the purpose of my petition made in the spirit of assisting the law was that the matter be investigated. In fact, in my second petition I had gone so far as to state that it was quite likely that current orders regarding my detention had been regularised, yet I had pointed out that it was necessary to find out if there was any irregularity at an earlier period. The irregularity I had in mind was of the type dealt with in the first point of my counsels, namely, that the order of my detention was not made by the proper authority or in accordance to the rules prescribed in the Ordinance. This question still remains undecided, because the attack of my counsels was concentrated upon the order of 27 June 1944 of the Central Government.

Mr Justice Munir in his judgment writes: 'When the petition came up for hearing on 17th December 1943, it was contended by the learned Advocate-General that since the petitioner was being detained under the Bengal State Prisoners Regulation, the Court by reason of sub-Section (3) of Section 491, of the Code of Criminal Procedure had no jurisdiction to entertain the application and that on that ground the application should be dismissed. This contention succeeded and Mrs Purnima Banerji's application under Section 491, Criminal Procedure Code, was dismissed on 23 December 1943. These words themselves show that the Bengal Regulations were pressed into service only to defeat the application of Mrs Banerji. This was either because there was an illegality involved in my detention, or as now appears more probable to me, knowing the purpose of that application, because I was not being treated according to law, which fact the Government was afraid of being brought to light. In either case, the order under the Bengal Regulations was in the nature of the ruse meant to hide an illegal act, and I for one am anxious to explore every available aid of the law to right that wrong. That the wrong was committed more than a year ago, cannot by itself right it, nor, on that account, can the law refuse to take notice of it.

Coming now to the malafide point, while I agree with the judgment of the court that extortion of information was not the sole purpose of my detention, I do hold that the purpose of detaining me in the Fort was certainly to extort information, and as such malafide. The learned judge has remarked upon the length of time that intervened between my arrest and the beginning of my interrogation. Firstly, the period of time was not so long as it has been supposed, because I was arrested on 18 September and not on 19 August. Thus it was just over a month after my arrest that the interrogation started, and this period was necessary to collect all the relevant records as more

than one provincial government, apart from the Centre, was concerned. In fact, when the interrogation opened, there were officers of the Bengal and Bihar CID present in addition to those of the Punjab CID. Secondly, the reason that the interrogation stopped on 10 December was not that the malafide intention of the Government had undergone a sea-change, but, in the first place, it was my own attitude, that is to say, my refusal to give the information desired; in the second place, it was the panic created in the Executive by the fact that Mrs Banerji's petition had been admitted by the High Court which threatened to bring to light damaging facts. The reason again why the interrogation was not resumed later was, firstly, that the police did not expect to get anything out of me, and, secondly, the fact that I had in the meanwhile complained against the interrogation to the Home Secretary to the Punjab Government and to the non-official visitor, Nawab Muzaffar Ali Khan—both of whom saw me soon after I was made a State prisoner, and had also made a written complaint to the Punjab Government. Therefore, I maintain that one of the intentions, clearly a malafide intention, of detaining me in the Fort was extortion of information regarding my activities and the national struggle that had begun on 9 August 1942. And this brings me to the fourth submission that I have to make.

(4) I have shown that my detention in this Fort was malafide, in as much as the purpose was to extort certain information. I wish now to submit that, apart from this aspect of the matter, my detention here has been with a view, indirectly and vindictively, to inflict additional punishment on me, not in the least incidental to mere detention. The conditions of imprisonment in this Fort are such that, aside from willful ill-treatment, of which I have had no cause to complain for the past some months, and, as compared with conditions in the jails, they constitute by themselves a severe form of punishment. This fact was brought to the notice of the Government by me some months ago, yet they refused to transfer me to a jail, presumably on the ground that no jail in the country was safe for me. This was a ridiculous plea, and I have naturally been driven to the conclusion that, whatever be Government's future intentions, their insistence on keeping me locked up in this Fort was prompted by the motive I have spoken of above. I am aware that it has been held that Government have power to determine the place and conditions of a Security prisoner's detention. Without denying this fact I maintain that this power is not open to unlimited interpretation. That there must be recognised standards to limit this power, and that the limitations must be such as to require a Security prisoner, who is not under any punishment under the law, but is merely 'detained' by executive order so as to be prevented from certain activities, to be kept under reasonable conditions of comfort and well-being. To remain locked up alone for fifteen months day and night, except for an hour morning and evening for exercise, and to be deprived of all company for the greater part of this period are forms of hardship and punishment that are not incidental to detention, nor known anywhere in the jails and detention camps, except as forms of punishment for prison offences and they cannot fall within the recognised standards of which I have just spoken.

(5) I come now to the last part of my submissions. I have stated above as in my previous petitions that between 20 October and 10 December 1943, I was subjected to harassment and torture. I shall first state the facts briefly. In this connection, I can do no better than quote from the letter I had written to the Punjab Government through the Home Secretary in February last:

I was arrested on the 18th September of the last year at Amritsar and brought the same day to this Fort. After about a month of my detention here I was taken to the office where officers of the Punjab, Bihar, and Bengal CID were present. I was informed that I would have to answer certain questions that would be put to me and make a statement regarding my recent activities. I made it clear to the officers present that I was prepared to answer any questions that did not relate to my recent 'underground' activities, and, as for a statement, I had no more to say than that I was an

enemy of the British Empire in India (not of Britain or the British Commonwealth), that I was working for my country's independence and that I would continue to do so till either the object was achieved or death intervened. The interrogating officers on their part made me understand that I was not to be let off till they had obtained from me the information they wanted.

In this manner my so-called interrogation began. Thereafter I was taken to the office every day and made to sit there for varying periods of time. For the first few days the hours were not too long. Even so I pointed out to the interrogators that forcing me to sit in the office for hours together and repeatedly asking me questions that I had declined to answer was a form of harassment to which they had no right to subject one. I was told that I was in the hands of the Punjab CID and the question of rights did hardly arise. Gradually the hours of 'interrogation', in plain language, harassment, were lengthened: from 8 a.m. to 5 p.m. to 10 p.m. to mid-night. Often varied threats would be given to me in varied manners—some politely and mildly, some harshly and annoyingly. At this stage I made vigorous protests and asked repeatedly but fruitlessly to be able to write to Government. It struck me as a remarkable system in which a prisoner could not even complain or petition to the Government which held him in custody; and I wish to bring this point to the notice of your Government with some emphasis, for in this system lie the germs of much mischief and injustice. To my mind, the right to petition should never be denied to a prisoner. I should mention here that about this time I made it clear to the interrogating officers, not in boasting but in all earnestness, that I was determined to risk my life if necessary, but would not submit to their pressure. No one knows his powers of resistance, but that was my sincere resolution and I did my best to persuade the officers to believe me.

The final stage in my harassment, which turned them into a form of torture, was to allow me no sleep during day or night. From morning till 12 p.m. I would be continuously kept in the office, then be taken to the cell for an hour, brought to the office again for an hour or two, taken back for an hour again and so on till the morning. The interrupted parcels of hours that I got in my cell could hardly bring me sleep, for just as I would be dozing off, the time would be up and I would be brought out again. On paper this process perhaps does not appear to be so torture-some, but I can assure you in all honesty that when continued for days it is a most oppressive and nerve-wracking experience. I cannot describe it as anything but torture.

In the second week of December, this torture suddenly stopped, as did the 'interrogation'. A few days later I was informed that my interrogation was over.

These were the facts, my Lord, and they have never been contested or denied by Government. I shall proceed now to quote further from the same letter, because what I said then is relevant to my present purpose. I said:

My grievance is that I have been tortured and treated in this fashion without any justification or warrant whatever. There is, or can be, no moral or legal sanction for it. Even the all-sweeping ordinances do not permit such practices nor vest the police with such powers. A prisoner is a most helpless creature, and whatever his crime, civilisation safeguards against his ill-treatment. For his crime he may be hanged if the law required it, as a prisoner he may be punished according to prison rules, but he cannot be harassed and tortured for refusing to give information to the police. That a political prisoner should be so treated is still more reprehensible. Here I should like to draw the attention of the Government to another aspect of the matter. I have no desire to appear vain or boastful, but in order to make my point I must say that, if the CID went so far with me, it can be imagined how much further it can go with persons, who perhaps worthier than myself, are yet not in the public eye or do not hold any position in public life. That such people should be completely at the mercy of the CID without even the right to petition to Government is a state of affairs that should not be permitted to continue.

Suppression of political opponents is the essence of Nazism Fascism and torture of political prisoners their most characteristic feature. I am conscious of the argument that those who believe in violence as a political method, as I do, must be prepared to be forcibly suppressed. I grant that, but there are lawful means even for such suppression. A political revolutionary may be executed for his offences when found guilty by the established law, but he may not be put to any torture for

the extortion of information. War is the deadliest, most brutal and violent form of political conflict. Yet a prisoner of war has certain rights and immunities which civilised society scrupulously respects. The same person who would be most mercilessly bayoneted to death in the field of battle would be immune from ill-treatment in the war prisoners' camp and would receive such amenities as the standards of the countries concerned and his own status would warrant.

This is what I wrote then, and I have repeated these words for your Lordship's consideration.

There remains another aspect of this matter. During the interrogation it was suggested to me that the police had to do their work and that in such work there was no room for human values and civilised conduct. The plea was unworthy of any civilised Government or its police. But even granting that human values and decent conduct did not have a place in police work, at least such work must be in accordance to law. My point is that the treatment meted out to me which I have described above was not lawful.

Before concluding this section I wish to suggest to Your Lordship that the DIR and the ordinances have converted this Fort into paradise for the police. A prisoner who is brought here is completely insulated from the world outside: he does not have to be produced before any magistrate or other court; the police can keep him here as long as they like and do with him what they will. I have personal knowledge of three cases: those of Mr Indra Prakash Anand, Mr Jayachand Vidyalankar and Dr Rammanohar Lohia in which similar, or even severer, treatment was meted out. I am sure there must be hundreds of other cases. I wonder if your Lordship as the highest guardian of justice in this province cannot offer protection in some manner to these unfortunate victims of the police, or rather of the Government.

I shall now sum up the submissions I have made. I submit:

- (i) that certain facts stated in the judgment are incorrect and that certain other facts that I have stated may affect the findings of the learned Judge;
- (ii) that when I was hurriedly made a State prisoner, there was either some illegality about my detention which the Government were unwilling to have examined by the High Court, or it was sought to prevent the fact of my illegal treatment from being brought to light;
- (iii) that my detention in the Fort was and is malafide. That I was subjected to unlawful treatment, that is to say harassment and torture, between 20 October and 10 December 1943.

My prayer is that under Section 491, Criminal Procedure Code, or any other suitable section of the law, I be permitted through my counsel to present these points in Court so that decisions may be made regarding them. With regard to my last submission, I have two further prayers, namely, that Your Lordship may initiate such proceedings as may be necessary to bring to book those guilty of unlawful conduct; Secondly, that I may be permitted to sue the Crown for the illegal treatment I received at the hands of its servants.

In order that I may seek the advice of, and instruct, my counsel, Mr Jiwanlal Kapoor, Advocate, with regard to these points, I pray that I be allowed to interview him under such condition as Your Lordship may deem suitable. I pray further that a copy of this petition may be made available to him so that he may take such steps in regard to it as he may find advisable.

Begging to be excused for taking so much of Your Lordship's time.

I remain,
Your Lordship's
Most truly,
Jayaprakash Narayan.

* Editor's Note: Rammanohar Lohia, one of the prominent leaders of the underground Quit India Movement, was arrested on 20 May 1944 in Bombay and brought to Lahore Fort within a month under complete secrecy. The news about torture inflicted on him there agitated the people of Bombay and Mr Pardiwala, an eminent barrister of Bombay, filed an application of *habeas corpus* for him, in the Lahore High Court. Before the application was admitted in the court, Punjab Police arrested Pardiwala and detained him in prison. This led to a countrywide agitation and the Government accepted the right of the prisoners to seek protection of law by means of a *habeas corpus* application. Purnima Bannerjee filed another *Habeas Corpus* application for him in the Lahore High Court through Jeevan Lal Kapoor, an eminent lawyer of Lahore. The Government immediately issued an order declaring Lohia 'State Prisoner' under Bengal State Prisoners Regulation III of 1818. This took his case out of the jurisdiction of the High Court, as per Section 491 of Code of Criminal Procedure. The application of *habeas corpus* thus became infructuous. The Bengal Regulations were pressed into service only to defeat the application of Mrs Bannerjee and after the purpose was fulfilled, Lohia was reclassified as 'Security Prisoner'. In December 1944 the Government permitted Lohia the right to read and write, and on 13 December he filed an application for *habeas corpus* and supplemented it with another application on 19 January 1945. This petition was heard on 31 January 1945 and rejected on the ground that the Government had decided to transfer Lohia to an ordinary jail. Next day he was transferred to Agra Central Prison. See Appendix I for Lohia's statement to his lawyer on 27 October 1945.

¹ The Chief Justice, High Court, Lahore—the Honourable Sir John Douglas Young and the Honourable Sir Arthur Trevor Harries.

² Jeevan Lal Kapoor, an eminent lawyer of Lahore who moved *habeas corpus* applications for Jayaprakash Narayan and Rammanohar Lohia.

³ Mrs Purnima Bannerjee (1911–51)—Congress-Socialist Leader of Allahabad moved an application of *Habeas Corpus* for Jayaprakash Narayan in November 1943. Before the application was admitted the Government issued order of detention under Bengal Regulation III of 1818 to which Court had no jurisdiction under Section 491 (sub-sec 3) of Criminal Procedure Code.

2. Plain Words to Britain

Comment on Sumner Welles'¹ book *An Intelligent American's Guide to Peace*, 1944, strongly advocating independence for India.

*Bombay Sentinel*², 6 January 1945.

The outspoken and realistic statements of men like Mr Sumner Welles, in his latest book, are bound to quicken American thought about India and give a fillip to Indian agitation in that continent though it is a question whether the British Premier and his colleagues will be persuaded by it to change their views or policy in any way.

Mr Sumner Welles is not very optimistic about the post-war situation of Britain and fears she will be faced with many economic and financial difficulties which it will be impossible for her to overcome without the immediate help of other countries.

Much of what Mr Welles writes about India is true and very few Britishers can object to it. If their attitude towards the cause of Indian freedom has annoyed their Allies, the British have to thank their purblind leaders.

Such an attitude should make British politicians furiously think, though it is a question whether men like Churchill and Amery can change overnight. They are notorious and confirmed diehards and they are doing everything in their power to maintain their rather doubtful reputation.

Unquestionably the most important problem facing Indians today is their dire poverty, which the war has merely accentuated.

Though there is seeming prosperity, owing to the war, in cities and towns, the condition of the masses has deteriorated very considerably. This is shown by the tragedy of Bengal, Orissa, Bihar, Malabar and other parts of India.

Yet, the British administrators refuse to learn any lesson from these tragedies; they persist in their discredited methods.

One must agree with Mr Welles when he claims that the problem of untouchables is nearer solution today than it ever was. But men like Dr Ambedkar do not want it to be solved except in their own way. For once it is solved, Ambedkar's occupation will be gone.

It is easy enough to agree with Mr Sumner Welles when he argues that, in spite of the opposition of British and Indian diehards, India is bound to be independent and advance to greater political and industrial heights than the 'time delaying' Dominion Status envisages.

Indians are more than ever convinced that they can have no honoured place in the British Empire as now constituted; that their country must become an independent unit to control and reshape their political and economic destiny in any way they like.

It is pointed out that no country is 'culturally, historically or spiritually more devoted to peace' than India though she has been involved in wars for a long time, under stress of circumstances over which she has had little or no control.

Without a free India, there can be no freedom in Asia and there can be little hope for the future world. What is more, India is bound by her geographical position to be the leader of Asia.

Much of what Mr Welles writes about the post-war financial position of the world, including Britain, is likely to happen, and it is quite possible that the post-war fate of that country may be 'no longer subject to her own will'.

Britain can stave off such a critical situation only with the willing co-operation of countries like India and not by forcing servitude on them. Mr Churchill may be unwilling to liquidate the British Empire, but even he cannot foresee what is likely to happen in the future.

Indians have no hope of receiving a single penny out of their enormous sterling balances now blocked in London. It is to be doubted whether they will be able to get even goods for the equivalent amount at advantageous rates. The whole thing is in the lap of uncertainty, and anything may happen to alter and reshape the future.

But this much is certain that 'rising nationalism throughout the world will undoubtedly reduce the colonial supremacy Britain once possessed'. Every country is anxious to be self-sufficient and become independent. Can Britain hold all these millions back for ever, for her own selfish interest?

It is not only Mr Sumner Welles who thinks this way. Other prominent American writers have expressed themselves more or less in similar terms.

In the American Army Journal, *The Contact*, published in India there is even more outspoken criticism of Britain's financial and economic future and surely things are not going to shape the same way as most British imperialists would like.

Mr John Fischer writes in *The Contact* much in the same strain as Mr Welles, and fears that Britain's economic future is beset with great difficulties, which she will be able to overcome only with the generous financial help of Russia or America.

Indians are, however, not much concerned with this. They are concerned with their own freedom, for they well realise that unless they achieve their political freedom immediately they will have no economic future in any sense of the term.

All the feverish planning that is going on in New Delhi is mere eyewash and large majority of Indians attach not the slightest importance to it. Real planning can only be done by a free India, and for that India will have to wait patiently.

¹ Sumner Welles (1892–1961); educated at Harvard University and Cambridge; Assistant Secretary of State 1933, Under-Secretary of State of USA 1937–43; accompanied President Roosevelt in a meeting at sea with Prime Minister Churchill of England August 1941; Publications: *The Four Freedoms* (1943), *Time for Decision* (1944).

² *Bombay Sentinel* was an English daily published from Bombay. It supported the national struggle for freedom. B.G. Horniman was its Editor in 1945.

3. Purushottam Das Tandon's Version of Independence Day Pledge: Instructions to UP Congressmen¹

Purushottam Das Tandon,² President, Representative Assembly of Congressmen, UP, on 17 January 1945, issued the pledge to be read by the Congressmen all over the province on the Independence Day, 26 January 1945.

GOI, Home Dept, Poll(I), File No. 3/1/45-Poll(I), NAI, also *Leader*, Allahabad, 18 January 1945.

Allahabad, 17 January. Babu Purushottam Das Tandon, President, Representative Assembly of Congressmen in the UP, has released to the press the following 'pledge' to be read by the Congressmen all over the province on the 'Independence Day', 26 January:

'Every country has the natural right to be free. The basic cause of sin, dishonesty, poverty, famine and bloodshed in the world is the desire of one country to bring another under its domination and thereby to hamper the industries of the dominated country and make profit for itself by selling there its own manufactured goods or to gain some other similar end. Any country which rules over another spreads evil and tyranny and is an enemy of all mankind. The way to save the world from misery is that all countries should with a strong effort put an end to imperialism and the practice of one country ruling over another. As to the countries which on account of their weakness have come under another's sway, it is their duty even in their subdued condition to organise their forces and to put forth the strength to rid themselves of the country keeping them down.... In our own country, Britain is ruling for her own sinister purposes. We desire to get rid of Britain and we have for years been engaged in this attempt. To achieve the freedom of the world the first step is that we should free India from the grasp of Britain.

'On this Independence Day, we repeat the pledge that we will go on increasing our strength by solid constructive work and will continue unceasingly the fight for our country's freedom till by our sacrifices we win it'.—API.

¹ Official note in the Home Dept on the Circular issued by Tandon

HOME DEPARTMENT

The above message was received for press advice last night and I asked Mr Hartley to hold it up until this morning. I have now advised that it should not be passed for publication. The wording of the pledge may not be particularly bad, but press advice to the effect that a message may be published carries the implication that, in the opinion of the Press Adviser, the message is not actionable and thus protects the publisher against any successful prosecution. In my opinion the pledge is seditious and some of its wording might be interpreted as implying that the government of this country should be got rid of by force. It will be desirable to inform the UP Government of our action. Issue the DO below to

Mr Christic, Secretary to UP Governor. A copy of DO with its enclosure may be sent to other Provincial Governments and Chief Commissioner Delhi for information and also HE on tour.

Tottenham
Addl Secretary, 18.1.45

CPA has brought to my notice that the API have now published Purushottam Das Tandon's pledge without seeking press advice. I think it will be necessary to inform Provincial Governments. Issue Express letter below.

R. Tottenham
Addl Secretary, 19.1.45

GOI, Home, Dept Political (I) Section File No. 3/1/45-Poll (I). NAI.

² Purushottam Das Tandon (1882–1961) was born in Allahabad and practiced in Allahabad High Court. As a student he joined Congress in 1899, and was imprisoned several times from 1921 onwards. He was Speaker, UP Legislative Assembly 1937–39 and 1946–48; President, Indian National Congress and had to resign in 1950–51; was conferred 'Bharat Ratna' in 1961.

4. Programme for Celebration of Independence Day in Bengal

Programme for celebration suggested by Labanya Prabha Dutt, Congress leader of Bengal.

Amrita Bazar Patrika,¹ Calcutta, 19 January 1945.

Mrs Labanya Prabha Dutt has issued the following statement:

I appeal to the public of Bengal to celebrate the Independence Day on the 26 January in a befitting manner in accordance with the advice recently given by Mahatma Gandhi.

The following programme should be followed:

- (1) Hosting of National Flag: Congress workers should visit every house and shop and request the house-holders and shopkeepers to hoist national flag in their premises and shops.
- (2) Taking the Pledge of Independence.
- (3) Public meetings and processions may be organised in places where there is no ban against them. In no case should Government permission be sought for this purpose. Strict discipline and non-violence should be maintained. Public meetings and processions should be avoided if there is any apprehension of a breach of the peace or clash with the authorities.
- (4) Spinning demonstration and selling of *khaddar* may be organised. Any other item of the constructive programme may also be taken up.
- (5) Collection may be made to help the families of the political sufferers of Bengal. Special care should be taken to organise collection in such a way that money collected may not be mis-spent.

All collections should be sent either to me at 10, Suburban School Road, Bhowanipur, Calcutta or to Mr Kiran Sankar Roy,² Treasurer, at 44, European Asylum Lane, Calcutta.

¹ *Amrita Bazar Patrika* is an English daily published from Calcutta. It supported the Congress and the national struggle for freedom. Tushar Kanti Ghosh was its Editor during the year 1945.

² Kiran Sankar Roy, Congress Leader of Bengal; Treasurer, Bengal Provincial Congress Committee, 1945.



5. August Resolution Endorsed by Constructive Workers' Conference in Patna

Amrita Bazar Patrika, 20 January 1945.

Patna, 16 January. At this morning session of the Bihar Constructive Workers' Conference, a resolution endorsing the August resolution and reiterating that this is an imperialist war and expressing faith in Gandhiji's constructive programme as the only way to achieve freedom, was adopted unanimously.

The resolution was moved by Pandit Prajapati Misra¹ and supported by Mr Anugrah Narain Sinha² and Prof. Abdul Bari³. A committee consisting of the following with power to co-opt in order to implement the resolution was formed:

Messrs Srikrishna Sinha⁴, Prajapati Misra, Murli Manohar Prasad⁵ and Prof. Abdul Bari.

Three amendments to the resolution were withdrawn.

The Conference meets again at 3 p.m.

That members of the Communist Party, the Kisan Sabha of Swami Sahajanand and the Radical Democratic Party should not be associated in the constructive programme of Gandhiji, was the decision arrived at by the Bihar Constructive Workers' Conference this afternoon. There was hot discussion on this resolution, but it was carried despite opposition.

The resolution, which was moved by Khwaja Inaitullah, stated that 'members of the Communist Party, the Kisan Sabha of Sahajananda group and the Radical Democratic Party should not be associated in our constructive work because they have always acted against the principles of non-violence and truth and have also retarded the progress of Congress struggles for the attainment of Indian Independence'.

The Conference unanimously reiterated its faith in Gandhiji and his constructive programme, and speakers stressed the need for averting fast by him.

¹ Prajapati Misra, President, Bihar Provincial Congress Committee.

² Anugrah Narayan Sinha, former Finance Minister, Bihar.

³ Prof. Abdul Bari, Dy Speaker, Bihar Legislative Assembly.

⁴ Sri Krishna Sinha, former-Premier, Bihar.

⁵ Murli Manohar Prasad, Editor, *The Search Light*, Patna.

6. Ninth of August and Students: Gandhiji's Advice, Explained by Pyarelal Nayyar¹

Ninth of every month was observed in many places, particularly by the students. Pyarelal's press statement was issued in Sevagram on 20 January 1945.

*Leader*², 21 January 1945.

Ninth of August has become a sacred memory in India's non-violent struggle for independence. Gandhiji has received a large number of enquiries, especially from students, as to how the ninth of each month should be observed. The principal of a college in Bengal has asked in a letter whether Gandhiji's instructions to students are that they should absent themselves from their classes on the ninth of each month. The reference is presumably to his advice to the students of a proprietary high school in Ahmedabad in a letter which he wrote sometime back and incomplete extracts from which have since appeared in Gujarati and English Press. I give below the translation in full:

The sincerity of your letter is unmistakable. Leaders who are in jail are doing their duty by being there. A Satyagrahi in prison never rots, he serves his cause by his imprisonment. Nor can any one say with certainty that he could have served the cause better if he had remained outside, but it is the duty of those who are outside not to forget those who are in prison. They must labour to get them out. If we had the requisite strength none of our leaders should be in jail today. In its absence we must strive with whatever measure of strength we may possess. I, therefore, like the idea of students abstaining from going to school on the ninth provided they devote the whole day to self-purification and service and there should be the strictest adherence to truth and *ahimsa* in whatever they do.

Mass Civil Disobedience is today in abeyance, rather it was never started. But the fight for independence shall go on so long as independence is not attained. Whatever your decision, let not the bounds of propriety be transgressed and let the decision be taken after due consultation with your teachers and school management. Do not forget that yours is a Government School. You must also remember what I have said in another place, about the duties of students.

Conditions for abstention laid down by Gandhiji should be carefully noted. The emphasis is not on abstention, but on the programme of self-purification and service. Gandhiji's above advice in no way affects the principle, which he has reiterated time and again, that students, unless they have made up their minds to non-cooperate and leave their educational institutions for good, must conform to the rules and discipline of the institutions.

¹ Pyarelal Nayar, (1900–82), born in Delhi. He left MA class in Lahore in 1920 to join Non-cooperation movement. In 1945, he was private secretary to Gandhi. He wrote a number of books on Gandhi and freedom struggle.

² *Leader*, a nationalist English daily, published from Allahabad, supported the Congress movement for freedom. Pandit Krishnavan Mehta was its editor during 1945.

7. Demand for Immediate Transfer of Power and Release of Political Leaders by the All India Trade Union Congress

Resolutions and Speeches at the 21st Session of All-India Trade Union Congress (AITUC) in Madras on 21–22 January 1945.

Based on GOI, Home Dept, Poll (I) Branch, 1945, File No. 97/45 Poll (I); *Leader*, 21 January 1945; *Statesman*, New Delhi, 22 January 1945; *Indian Annual Register*, 1945, Vol. I¹, pp. 324–25.

Madras, 21 January. The full text of the main political resolution moved by Mr V.V. Giri² at the All-India Trade Union Congress today and seconded by Mr V.R. Kalappa and supported by M.K. Bose³, Somnath Lahiri and Dube:

‘The AITUC strongly protests against the failure of the British Government to accede to the unanimous demand of Indians of all shades of opinion for the immediate transfer of power to the Indian people.

The refusal of the Government to respond to the offer of Mahatma Gandhi, and Lord Wavell's December speech, only serve to underline the fact that the British Government is determined to maintain the deadlock and stick to power.

The opinion of this session is that this policy of holding on to power autocratically despite the declared wishes of the people of India, runs counter to the anti-Facist and democratic professions of the British Government.

The AITUC is further of the opinion that the present irresponsible Government has exposed itself as thoroughly incompetent to handle even a single problem created by the complex war

conditions. Its isolation from the people has led to rapid economic deterioration all over the country, intensifying poverty and starvation.

In the name, therefore, of the Indian people's right to freedom as well as to safeguard India against the present unbearable conditions, the AITUC demand the immediate establishment of a national Government at the Centre responsible to the people of the country.

In order to end the deadlock, efforts made by political leaders like Mahatma Gandhi and the Quad-e-Azam, Mr Jinnah, not only for resolving differences, but also for securing the transfer of power, will receive the whole-hearted support of the working class of this country'.

Moving the resolution, Mr V.V. Giri said that the resolution was based on different views held by different sections of the Trade Union Congress. There was no difference of opinion, he said, on the fact that the British Government was not prepared to part with power and that it desired to strengthen its imperialistic hold on the country.

Political and economic freedom could never be achieved with the aid of other nations. It could be achieved only through her own exertions. There was no use relying on outside help. He had seen declarations of British Socialist parties which claimed to stand for the liberation of India, and he felt that there was little to choose between the Conservative party led by Mr Churchill and the Labour Party of Britain.

He admitted that labour in India had not played its part in the fight for freedom. Workers in India, he declared, cared more for their dearness allowance than for independence. Though they had not forgotten the ideal of freedom, they had watered it down. Mr Giri asserted that Indian workers were anti-Imperialist and anti-Fascists. He appealed to workers to strengthen their organisation.

Expressing his personal view on the question of self-determination, he said that if India was to attain its proper place among free nations, it could be only on the basis of a United India.

Mr Kalappa, Mr M.K. Bose (Bengal) and Mr Lahiri, speaking on the resolution pointed out that the question of self-determination should be solved by the leaders of the Congress and the Muslim League. They felt that with the Congress and the Muslim League united, India's march towards freedom would be irresistible.

In the absence of Mr Dange,⁴ the outgoing president, Mr Fazal Elahi Qurban, who was elected president for the session, delivered the presidential address. A survey of the development of the Trade Union Congress, during the year and of the economic condition of labour, particularly with reference to the increased cost of living, a demand for the release of political leaders and the establishment of a national Government at the Centre and a clear definition of labour's attitude towards social reconstruction planning were the main points of the address.

Mr Qurban said that membership had exceeded 500,000 and the Trade Unions Congress could really claim today to represent the entire working class in India. He then referred to the low wages of Indian workers and said that it was this ill-paid mass of workers that had to face the burden of growing inflation and the enormous rise in the cost of living. He considered it the duty of both the Government and the employers to see that workers were not penalized by the rising cost of living.

The dearness allowance wherever it was granted, he said, was too small to cover the rise in the cost of living. The year had meant for them a continuous deterioration in their standard of living and a continuous struggle against its effect.

Turning to the question of coal crisis and its consequent effect on workers, Mr Qurban remarked that one of the reasons for the crisis was that vested interests in the mining industry were afraid of raising coal production for fear of a fall in the price of coal and did not want to spend money on improving the conditions of labour. He protested against the employment of women in coal mines

and thought that a better example of the bankruptcy of the present Government could not be cited than the sanctioning of this measure. Labour, however, realised that in the midst of famine and shortage of commodities it should not add to the sufferings of the people by withholding labour.

Mr Qurban then referred to the political situation in the country and demanded on behalf of the Trade Union Congress the release of national leaders. He said:

“Whatever may be one’s political opinion, all must necessarily agree that the release of leaders today forms the key to the present political situation. The country needs them outside to organise the forces of freedom, to organise the battle against hunger and starvation, to rehabilitate the uprooted villagers of Bengal and to succour the epidemics and famine stricken districts of Kerala, Bihar and other parts.

‘The working class has repeatedly demanded that the deadlock should be ended and a national government really representing the people should be immediately installed, so that our resources and manpower can be utilized in the democratic cause of defeating Japan’.

Affirming that the workers had never lost faith in unity, he hoped that unity talks would be resumed and a happy solution based on self-determination could be found.

Mr Qurban outlined the attitude of labour towards the problems of social planning and said that though every worker had realised that real planning would take place only when Socialism was achieved, he thought that social production and distribution could be planned to a certain extent even before Socialism came into existence. The object of such a planning might have the limited aim of raising the standard of living of the vast mass of the people. The pre-requisites for such planning were the establishment of a government embodying the democratic will of the people, the nationalization of key industries and the exercising of rigid control over other industries, introduction of large-scale farming by the removal of private ownership of land and the reorganization of distribution.

Mr N.M. Joshi,⁵ General Secretary of the Trade Union Congress, in his annual report referred to various labour problems including labour conditions in coal mines and Congress representation at the ILO Conference. He suggested that the coal problem could not be solved either by giving inducements to owners by a bonus or putting restrictions on the employment of miners or the promise of welfare measures but by firstly acquiring and exercising full control over mines and by giving to the miners an adequate wage.

He also urged the introduction of a comprehensive plan of social securing in India on the lines of the Beveridge scheme and insisted that in the post-war reconstruction plan Indian workers must have the position of full and equal partnership.

Madras, 22 January. The 21st Session of the All-India Trade Union Congress ended tonight after over 30 resolutions had been passed unanimously.

Resolution demanding the release of political prisoners, and protesting against the continued ban on the Indian National Congress were passed with loud cheers after various speakers discussed the Trade Union Congress attitude to the question. Mr B.T. Ranadive (Communist) moving the resolution demanding the release of political prisoners, said that the resolution was a demand of the people’s right to civil liberties and a demand for power, which could be obtained only through unity. He felt that only leaders like Maulana Azad and Pandit Nehru could unite the people of the country. The workers considered the Indian National Congress as their own organisation and the resolution asked for the return of their leaders to lead them. Mr Bankim Mookerjee⁶ and Mr Kalappa supported the resolution.

Mr N.M. Joshi moved the resolution which protested against the continued ban on the Indian National Congress and its activities. He said that the ban stifled the normal political life of the

country and demanded the immediate lifting of the ban and restoration of freedom of organisation so that the present helplessness and paralysation of social life could be ended, and the National Congress could more serve the people in the present political and economic crisis.

Mr Joshi said that the Congress was declared illegal before it had started the Civil Disobedience Movement. Under the advice of Mr Gandhi, the Congressmen, who were now released, had begun a constructive programme and one of the important items of the programme was labour organisation. The Trade Union Congress stood for full freedom of speech and association. The National Congress had been deprived of the liberty of organisation and the working class must legitimately agitate till the ban had been lifted.

The Congress strongly protested against the suppression of civil liberties in the country and stated that the Government had virtually abrogated the rights of public meeting, freedom of speech and freedom of association, put severe restrictions on the liberties of the press and made those rights 'dependent on the whims of the local bureaucrats and police officers'. The Congress demanded that all those restrictions on civil liberties should be removed and full freedom of speech, freedom of association and freedom of the press restored.

The Congress extended fraternal greetings to the workers and peasants and the Red Army of Russia who had helped the cause of freedom of other nations and to the workers of Britain and welcomed trade union delegations from both these countries. It congratulated the Greek people upon their heroism and unity in the defence of their liberty and freedom, strongly condemned the policy of the Churchill Government in utilizing British and Indian forces to suppress this freedom, and expressed warm approval of the support given by the British working classes to the cause of the Greek people. It fervently hoped that British labour would be able to defeat the reactionary policy of the Churchill Government and ensure justice and freedom to the Greeks.

The need for legislation to be undertaken by the Central Government to protect clerical and administrative employees and employees in shops and commercial establishments and to secure for them better conditions of life and work, was emphasized in another resolution which urged the inclusion of this class of workers in all measures of social security especially in the schemes for health insurance.

The Congress viewed with concern the involuntary unemployment of thousands of industrial workers in various parts of the country and urged upon Government to take effective steps to secure to the affected workers prompt and adequate compensation.

The redress of the grievances of workers engaged in the jute, plantation and bidi industries and the abolition of the contract system of labour in Government and quasi-Government institution, Corporations and local bodies, Ports and Railways, was urged in other resolutions adopted by the Congress. The resolution relating to the Jute workers (in Bengal) pointed out that as the workers' request for the appointment of an adjudicator within a reasonable period had not been acceded to by the authorities, they should consolidate their ranks to resort to direct action at the opportune moment.

The Congress in another resolution urged among other things that equal pay should be paid for equal work, women workers should not be required to work underground in coal mines and maternity benefit should be paid to all women employees earning below Rs 200 a month.

The Congress adopted a number of resolution relating to the redress of grievances of workers in the handloom industry, textiles, the press and mines and to the conditions of work in the Tata Steel industry.

A comprehensive resolution on planning was adopted by the Congress. The resolution declared that complete planning of social and economic life could only be achieved under socialism after the abolition of private production, the final aim of all planning being abolition of poverty and

exploitation of man by man. The resolution expressed the view that there was scope for a planned development of India's resources and industries even during the transitional stage and fully supported the demand for the immediate establishment of heavy industries as the basis of future planned economy in the country.

The Congress reiterated its faith in a Socialist State which alone, in its view, could ensure the real material well-being of the people by exploiting all the resources of the country solely for the purpose of equitable distribution.

The labour policy of the Government of Madras came in for criticism in another resolution which called on the Government to modify their policy in such a manner as to ensure the workers their right to organise and realise their just demands.

Suggestions for the avoidance of delay in adjudication and conciliation, a proper system of rationing for industrial workers, fixation of proper dearness allowance and basic wages to workers, redressal of grievances of workers in municipal and local bodies, legislative protection to private motor drivers and workers and statutory protection to domestic servants were indicated in other resolutions adopted.

The Congress fully supported the demands formulated by railway workers on the questions of dearness allowance, revision of scales of pay and increase in basic wages of Railwaymen and condemned the persistent refusal of the Railway Board and the Government of India to grant these just demands. The resolution directed affiliated unions to observe the next day as an All-India Railwaymen's day with a view to realise their demands.

Resolutions urging improvement of conditions of work in the Kolar Gold Fields and the Kheura Salt Mines were also adopted.

In his concluding remarks Mr N.M. Joshi said that the number of delegates present at this session was the highest so far. He pointed out that the organisation, though it consisted of different groups differing widely in outlook, was still moving as one unit, and he called it an 'all comprehensive and all-party All-India Trade Union Congress'. With goodwill towards one another and with wisdom of its different sections, the Trade Union Congress was making a success.

Mr Joshi pleaded for the maintenance at any cost of the all-party character of the organisation. The task was difficult, but in the direction in which it was now working, with tolerance as the basis, they would have nothing but success, thus showing the way to other sections of the people in this country.

Mr Joshi set forth three principles for their work: firstly, to protect the economic and political interests of the working class; secondly, to maintain solidarity by keeping all workers of the country in one organisation and not allowing them to be divided; and thirdly, they should be united and be an example to other organisations in securing the freedom of the country.

Mr Mrinal Kanti Bose, President-elect, thanked delegates and hoped the Trade Union Congress would develop into a fighting organisation.

¹ *Indian Annual Register*, 1945 was a contemporary chronicle of major events during a year in two volumes, January-June and July-December, with documentation on important events and editorial comments on home political front, was edited and published by N.N. Mitra from Calcutta. (This reference book is considered a primary source for the study of India's struggle for freedom. Between 1921 and 1927 this was published under the title *Indian Quarterly Register*.)

² V.V. Giri (1894-1980) born in Ganjam district of Madras (now in Orissa); became associated with Sinn Fein Movement and De Valera during his studies in Dublin University, Ireland; gave up his legal practice during Non-Cooperation movement; became active since 1922 in organising the working class and was one of the founders of All India Railwaymen's Federation; twice elected President of AITUC (1926 & 1942); attended the Second Round Table Conference in 1931-32 as the Worker's Representative; member of Legislative Assembly 1934-37, defeated Chief Minister of Madras in 1937 election and became Labour Minister in 1937 & in 1946; Member Lok Sabha 1952-57 and Labour Minister 1952-54, Vice President of India 1967, President 1969-74.

³ Mrinal Kanti Basu (1886–1957) was a veteran political journalist and a well-known trade union leader. He was elected President of the Press Worker's Union (1922–48), All India Trade Union Federation 1923, Bengal Provincial Trade Union Congress 1932, National Trade Union Federation (1933–40). He was elected President of AITUC by its Annual session in January 1945.

⁴ Shripat Amrit Dange (1899–1991) born in Nasik; gave up his studies during Non-Cooperation movement; was attracted to socialism and communism and wrote *Gandhi Vs. Lenin* 1921; arrested in 1924 and sentenced in Kanpur Conspiracy Case, released in 1927 and became a leader of the working class movement; sentenced in Meerut Conspiracy Case 1929, again in prison from 1939–43; President AITUC 1943, MLA Bombay (Communist) 1946; Member of Parliament and leader of Communist Group 1952–62; supported Nehru, and after the split and formation of CPM remained the Chairman of the National Council of the Communist Party of India (CPI) 1964–90.

⁵ Narayan Malhar Joshi (1879–1955) born in Goregaon in Kolaba, Bombay, and regarded as the father of trade union movement and pioneer of labour legislation in India; started the All India Trade Union Congress in 1921 and was its General Secretary for many years; Government of India sent him to the first International Labour Conference in Washington in 1919 and he was often nominated during 1922 to 1948 to represent labour at ILO Conferences; member of Central Legislative Assembly 1921–46.

⁶ Bankim Mukherjee (1897–1961) born in Calcutta; a prominent figure in left nationalist movement (1921–35) and the communist movement in India (1936–61); was educated in Hindu School and Presidency College, Calcutta; joined Non-Cooperation movement when he was a teacher in a High School in Etawah (UP); was in the forefront of Trade Union Movement ever since 1927; a member of AICC 1929–39 and a founder of the All India Kisan Sabha in 1936; joined Communist Party of India in 1936 and remained a stalwart there till his death in 1961.

8. Gandhi's Text of Independence Pledge: Pyarelal's Press Statement¹

Pyarelal Nayyar, Gandhi's Private Secretary issued the Statement in Sevagram on 22 January 1945.

Bombay Sentinel and *Hindustan Times*², 24 January 1945. GOI, Home Dept, File No. 3/1/45, Poll(I), NAI.

Mahatma Gandhi wrote out the following Independence Pledge for celebrating the Independence Day while he was in detention in the Aga Khan's Palace.

The pledge was repeated by him and his companions on the anniversary of the eighth and ninth August, 1943 and also on the Independence Day in 1943 and 1944:

“My immediate objective is and for years has been for India to gain her independence, complete in every sense of the term by truth and non-violence.

In the prosecution of that objective, I repledge myself on this, the 15th Independence Day, not to rest nor allow those over whom I have influence to rest till it is gained.

I seek for the fulfillment of my pledge the assistance of that divine unseen power which we recognise by such familiar names as God, Allah and Paramatma”.—API.

¹ The official note by R. Tottenham, Additional Secretary dated 24 January 1945 on the new Independence Pledge reads:

In this morning's *Hindustan Times* appeared Gandhi's revised Independence Day pledge (a copy of which should be placed on the file). This was referred for press advice yesterday and I agreed that it should be passed. It cannot in my opinion be termed 'seditious' and passing it will show that Government are not opposed to India's Independence as such, but only to illegal and unconstitutional methods of obtaining it. I do not think that it is necessary to inform Provincial Governments that we have passed the pledge.

—R. Tottenham, 24/1/45

² *Hindustan Times*, a national newspaper, published from Delhi, supported the Congress movement for freedom. Devdas Gandhi was its Editor during 1945.



9. Full (Traditional) Independence Day Pledge¹ as Published in *Amrita Bazar Patrika*

Amrita Bazar Patrika, 25 January 1945. Also the Govt of Orissa, Home Dept, File No. 5/3/55 available in Orissa State Archives, Bhubaneswar.

‘We believe that it is an inalienable right of the Indian people, as of any other people, to have freedom and enjoy the fruits of their toil and have the necessities of life so that they may have full opportunities of growth.

We believe also that if any Government deprives a people of these rights and oppresses them, the people have a further right to alter it or to abolish it. The British Government in India has not only deprived the Indian people of their freedom but has based itself on exploitation of the masses and has ruined India economically, politically, culturally and spiritually.

We believe, therefore, that India must sever the British connection and attain Purna Swaraj or complete independence.

We recognise that the most effective way of gaining our freedom is not through violence. India has gained strength and self-reliance and marched a long way to Swaraj, following peaceful and legitimate methods and it is by adhering to these methods that our country will attain independence.

We pledge ourselves anew to the independence of India and solemnly resolve to carry out non-violently the struggle for freedom till Purna Swaraj is attained.

We believe that non-violent action in general and preparation for non-violent direct action in particular require successful working of the construction programme of khadi, communal harmony and removal of untouchability.

We shall seek every opportunity of spreading goodwill among fellowmen without distinction of caste or creed. We shall endeavour to raise from ignorance and poverty those who have been neglected and to advance in every way the interests of those who are considered to be backward and suppressed.

We know that though we are out to destroy the imperialistic system, we have no quarrel with Englishmen, whether official or non-official. We know that distinction between caste Hindus and Harijans must be abolished and Hindus have to forget these distinctions in their daily conduct. Such distinctions are a bar to non-violent conduct. Though our religious faith may be different in our mutual relations we will act as children of Mother India, bound by common nationality and common political and economic interest. Charkha and Khadi are integral parts of our constructive programme for the resuscitation of the seven hundred thousand villages of India and for the removal of the grinding poverty of the masses.

We shall, therefore, spin regularly, use for our personal requirements nothing but Khadi and so far as possible products of village handicrafts only and endeavour to make others do likewise.

We pledge ourselves to the disciplined observance of Congress principles and policies and to keep in readiness to respond to the call of the Congress whenever it may come for carrying on the struggle for the independence of India’.

¹ A Facsimile of the Pledge in *Amrita Bazar Patrika* with Indian National Flag atop is placed opposite. The same version of the Pledge is also to be found in Government of Orissa, Home Dept, File No. 5/3/55. A slightly shortened version was issued by S.K. Patil, Congress leader of Bombay and published in *Bombay Sentinel*, 22 January 1945.



10. Sarojini Naidu's¹ Message for Independence Day, 24 January 1945

Leader, 25 January 1945.

May the pledge that we are called upon to take be a true sacrament of dedication to the cause of India's freedom. May the flag that we salute today become the very symbol of national unity and be planted high among the standards of the world's free peoples. May our national leaders guide us aright with wisdom, courage, vision, power and maintain unsullied the integrity of our national honour. May the vast legion of our soldiers in the battle for freedom kindle within their hearts an imperishable flame of faith and march with intrepid feet along the steep and perilous paths of sacrifice; and may they with prescient eyes, discern through the darkness the glory of the nearing dawn. API.

¹ Sarojini Naidu (1879–1949)—born to Aghornath Chattopadhyay and poetess mother Barada Sundari Devi. Sarojini called herself a poetess singer. She was drafted towards politics during the movement against partition of Bengal and her fiery speech in Calcutta Session of Congress, 1906 attracted Gokhale, who saw in her oratory the leader of the future. She was in political, social and freedom movement since and soon emerged as a leader. She was President of Bombay Provincial Congress Committee from 1920 and presided over Congress Session 1926.

11. Ashti and Chimur Prisoners: People's Concern¹

(i) Save Chimur–Ashti Young Men: Protests Against the Death Sentence Voiced in Delhi, *People's War*, 28 January 1945.

Congressmen, Leaguers, Communists, Nationalist Muslims, Sikhs, Trade Unionists, Journalists, Doctors, Writers, Businessmen, have signed a joint statement which after appealing to the Government to commute the death sentence of the Ashti and Chimur accused says:

‘Such a step is necessary in the interests of better relation between Britain and India. We believe that if these young men were hanged it would only further embitter the feelings of our people’.

The signatories include Maulana Ahmed Said, Jamiat leader; Dr Shaukatullah Ansari, Nationalist Muslim leader; Hilal Ahmed Zuberi, V.P., Delhi Municipal Council; Devdas Gandhi, Editor, *Hindustan Times*; K. Santanam, Jt Secretary, Sapru Conciliation Committee; Shankar, famous cartoonist and editorial staff of *Hindustan Times*. Congressmen include Dr Vijay Kumar, Dr Srivastava, Shankar Dutt, Diwan Singh Maftun (Editor, *Ryasat*) and Gopinath Aman. Leaguers include Abdul Salam, former President, Provincial Council; Anis Hashmi, General Secretary; Miss Mumtaz Shahanawz, General Secretary, Muslim Women's League; Dr Abdul Ghani Qureshi and Rahimuddin Nuri and Sahil Bilgrami, Editors League dailies, *Anjam* and *Qaumi*.

Other signatories are Sikh leader Bhagat Singh Kirti, Bahal Singh and R.C. Sharma. Doctor signatories include P.K. Bhargave, Santosh Sen, Bimal Sen. Businessmen are Bawa Bachittar Singh, Lala Harprasad, Manager, Comilla Banking Cooperation.

On Thursday 11 January a women's meeting under the auspices of the Mahila Sangh President Begum Hashmi, passed a resolution which after appealing to the Government to commute the death sentence on Ashti–Chimur young men says:

‘Let the Government do what people of all shades of opinion are asking to do. We warn the Government that if these young men were hanged it would still further embitter the feeling of the people of our country and wide the gulf between Britain and India’.

The Annual Conference of the Water Works Union met on 7 January and passed a resolution for saving the Ashti–Chimur prisoners.

... The Muslim Student Federation Reorganisation Committee met on 2 January and passed the resolution ... regarding the Ashti–Chimur prisoners, strongly appealing to the Government to commute the death sentence.

‘The Committee wishes to make it clear that hanging fifteen young men, many of whom are hardly eighteen and on whom the flower of youth has not yet fully smiled, is to kill humanity in the sacred name of Law and Order. The present situation demand that the gulf which already divides the Government and the people of this country be not made unbridgeable by hanging them to death’.

Maulana Ahmed Said, Jamiat leader and Dr Shaukat Ansari, Nationalist Muslim leader have sent telegrams to the Viceroy and the Governor of the Central Provinces in the same connection.

The Communist Party Shop Assistants Federation, Textile Mazdoor Sabha, Delhi Municipal Workers Union, have also appealed for commutation of death sentences. The Tramway and Electricity Workers also met on 2 January and passed a resolution appealing to the Government not to hang these young men.

(ii) Petition for mercy submitted by people of Bengal

Amrita Bazar Patrika, 25 January 1945.

About 1,400 signatures have been collected on a petition praying for mercy for the Ashti convicts, states, Mr Gautam Chattopadhyaya,² Secretary, Save Ashti–Chimur Committee.

The petition says:

‘The High Court of Nagpur has passed death sentence on 15 young political prisoners of Chimur and Ashti. The citizens of Nagpur as well as different political, social and civic organisations there have appealed to the people of our land to carry on immediate agitation so that the death sentence may be commuted and the young lives saved.

Since the days of August in 1942, there have been changes in the course of our national events. It would, therefore, be a sheer tragedy if these youngmen were to die on the gallows today, over two and a quarters years after August 1942.

We may hold different views on the events of August 1942, but in view of all these factors, we most earnestly appeal to the people of Bengal regardless of their political or social affiliations, to come forward and join with the people of Nagpur in the common efforts to save these youthful lives’.

The following signatures have been collected on the above statement:

823 signatures of the workers of the Calcutta Tramways, 371 signatures from among the general public of Calcutta, 9 signatures of nurses, 9 professors of the Ashutosh College, including the Vice-Principal; 24 teachers including those of Kalidhan Institution, Chetla Boys HE School, Southern Academy, etc.; 150 medicalmen including Dr J.C. Banerjee, Dr U.C. Chakravarty, Dr M.A. Karim, Major K.K. Ghose, Dr Nihar K. Munshi, Dr Sunil Dutta, Dr (Miss) A. Khatun, Dr S.R. Chandra, Dr Amiya Bose, Dr A.K.M. Habibur Rahman, Dr S. Mitra, Dr M. Palit, Dr Q.M.A. Hashan, Dr P.K. Sen, Dr Shekhar Chatterjee.

¹ Ashti–Chimur Prisoners: Fifteen out of thirty prisoners were originally sentenced to death for violence at Chimur and Ashti in Madhya Pradesh on 15/16 August 1942 as a sequel to 1942 ‘Quit India Movement’. Eight out of fifteen prisoners’ death sentence was commuted to life imprisonment by Governor CP and Berar on 29 January 1945 (see Appendix II at the end of the Chapter). The remaining seven prisoners’ mercy petitions to the King Emperor were rejected towards the end of March 1945 and Gandhi urged on 31 March for a ‘united voice of India, against the impending sentences’. This was echoed by observing hartal and meetings all over the country on 3 April 1945. The sentences were later on commuted to life imprisonment by the Governor General on 16 August 1945. Similar protests and warnings were made by the people in different parts of the country. These are mostly available in regional language materials.

² Gautam Chattopadhyay was an active member of Communist Party of India in Bengal.

12. Gandhi's Speech at Prayer Meeting on Independence Day, 26 January 1945

Collected Works of Mahatma Gandhi (henceforth CWMG), Vol. 79, Ahmedabad 1945/1980, p. 70.

'With the independence of India is bound up freedom for the whole of exploited humanity in the world—for even exploiters, that is, imperialist England and other imperialisms'.

Referring to an incident that occurred that morning in front of the Ashram, when the police attempted to interfere with the normal village cleaning programme of the workers, Gandhiji said that it had been repeatedly announced that there was to be no militant programme on the Independence Day and after that it was not possible for anyone to offer civil resistance. Members of the various institutions in Sevagram worked under his guidance.

Gandhiji said he had placed the Constructive Programme before the country years ago and it was the only way of attaining swaraj, that is, full freedom through truth and non-violence. While he did not want a militant programme he had also said that if anyone interfered with the execution of constructive work, he expected the people to die rather than turn back. One such occasion arose that morning when a batch proceeding mutely with pickaxes, shovels, broomsticks and baskets was stopped. They were not carrying fighting weapons and yet the police would allow them to proceed only if they broke up file. In such circumstances, non-violence would be sheer cowardice if they yielded and bent before authority. Their hymn for that evening was exceptionally appropriate, Gandhiji continuing said, and its central theme was, that true happiness lay only in the womb of unhappiness. For the hearers it meant that true happiness, that is, swaraj, came only through unhappiness, that is, self-suffering. The volunteers did right in refusing to break up file and at the same time not breaking through the police cordon. Though the police had fire-arms they were rendered useless through the dignified and yet firm attitude of the volunteers. They were neither to invite firing nor avoid it and for them real authority was the dictate of their hearts which Gandhiji would call God or Truth.

'For me, true independence is convertible with God. Tilak has given a *mantra* that "Swaraj is our birthright". It is a simple one. I will only add that the way to realise the *mantra* is through truth and non-violence and I claim that that way is possible only if millions work the Constructive Programme'.

Concluding, Gandhiji warned the volunteers not to gloat over their success, for, if they did so that very pride would prove their destruction. Humility, he said, should be their touchstone.

13. Independence Day

An article on Independence Day by Purushottam Das Tandon.

Leader, 26 January 1945.

We salute our national flag and take the independence pledge today. The flag stands for National Unity and the Will to Freedom. This is a sacred function. On this day, we renovate our resolve to continue unceasingly and with a fixed determination our fight for freedom till we win it. But this is also an occasion for heart-searching and introspection. Have we made substantial advance towards our goal during all these years since we first took the pledge? Has our constructive effort been full and sustained? Have we been adding strength to our chief political organisation the Indian National Congress? Have we been able to forge a strong battle-worthy machine out of it to

serve us in withstanding the onslaughts made on us in various directions and also in covering our march forward? In the very process of putting these questions to ourselves we begin to spot our weak points.

We undoubtedly possess the confidence of the people. The masses approach us for help in their daily troubles and also whenever any new calamity befalls them. We are not always able to do something substantial for them, but in any case our words of sympathy and comradeship always bring them solace. Mass voting during elections has shown with what burning enthusiasm people go to the polls to record their votes for Congressmen. Even Government officials are conscious that, in spite of interested foreign propaganda about the waning influence of the Congress, elections to the Central and Provincial Assemblies, if they were to take place today, would go decidedly in favour of the Congress. While all this is certainly a source of legitimate gratification to Congressmen, the feeling thus engendered has itself encouraged them in giving importance in their public work to methods which lead to success at the polls to the neglect of other work which may not be so spectacular but which is essential for more substantial success for a country groaning under the yoke of a foreign power. The consequence is that while we have learnt to organise demonstrations, conferences, large gatherings and processions which have all helped in drawing mass attention to political questions and making the people dreamily conscious of their self-importance, political planning which could foresee and produce definite results from definite actions, has been entirely wanting. We have vaguely believed that mass contact and rousing mass consciousness will usher in a revolution which will in some manner lead the British to abandon their hold on the country and install a people's government in its place. We have not generally cared to remember that while mass awakening is a huge potential force, it may like forces of nature be wasted if not wisely harnessed under a well thought-out plan and with necessary technical devices and that constructive planning in politics as in other directions is essential for progressive action.

It seems to me that our first task lies in making our chief national organisation, the Indian National Congress, more compact and therefore more effective. Compactness implies discipline and discipline implies a certain unity both in theory and practice. To talk of the Congress representing all kinds of views prevailing in the country and being a common platform for all elements is to ignore realities and to indulge in an auto-hypnotic dreaminess. The Congress, divided into groups with diverse views and opposing purposes, may be a good arena for spectacular debates and fireworks of rhetoric but it will not develop the necessary strength to lead the country to freedom. That strength will come only from a unity of purpose and a unity of strategy. The tactics of some groups in the army may differ somewhat but they must coalesce and concentrate on a common end and they must not be counteracting and neutralizing one another. Thus the temptation born of a certain softness to give a standing invitation to all varieties of political thought to enter the Congress has to be subdued. Only persons having fundamentally common views should be admitted into the Congress fold.

Another important question to be considered in this connection is that of quality versus number. Should the control of the Congress continue to vest in those who, by the only qualification of paying a small fee—4 annas under the Congress rule—become full members with the power to vote at all primary elections of the Congress which lead to ultimate power in the Provincial Committee, the All-India Committee and to Congress presidentship? Congressmen are aware how these four-anna members come to existence. They are mostly enrolled by and in the interest of individuals who wish to have the control of offices and Executive Committees and very often even their membership fee is found by others. What abuses and demoralization this system has led to is generally known to active Congressmen. They all talk of it freely among themselves. Half-

hearted attempts have been made in the past to introduce greater decency in Congress elections by laying down some qualifications for membership in addition to the payment of 4 annas, but they have failed and the Congress has continued as a lax organisation. I am clear that the attempt to strengthen the Congress by cleansing it of useless and pernicious elements and give the serious-minded and virile elements the full opportunity for action has to be continued and experiments have to be tried in various directions to make our organisation a real fighting machine.

At present the Congress is under a ban, the Congress rules are in abeyance and the Congress Committees are not functioning. It may be said therefore that it is not possible to make new rules for the Congress. This is correct so far as it goes, but even the fact that the Congress is not functioning gives an opportunity to all those bodies which have come into existence in the different provinces to carry on Congress work to make their own experiments in constitution-making and then to evolve a common policy.

The line of action which has been favoured by the Executive Committee of the Representative Assembly of UP Congressmen, though it has not yet been adopted by the General Body, is that while primary members may continue to be enrolled on the 4 anna franchise, the real power, that voting is, should vest in those members only who possess some other qualification also and who may be classed as active Congressmen. The qualification which the Committee has fixed for active Congressmen is wearing hand-spun and hand-woven khadi habitually. For candidates for offices or for membership of Executive Committee, the UP Committee has laid down an additional qualification, namely, giving at least one hour daily for Congress work. This plan, if effectively carried out, will probably reduce the number of primary members, for they will not have the incentive of voting at elections but it is calculated to encourage and put the power of action in the hands of those who take their work somewhat seriously. A part of this plan will naturally be to make some arrangement for testing that the qualification demanded is actually possessed—whether by the active member or by the candidate. The device of having judges appointed for this purpose has been recommended. I submit that something definitely on new lines has to be introduced to lead the Congress from the old rut in which it has been ineffectively moving for years.

I would suggest that in other provinces also Congressmen should think over these matters and adopt their own measures to strengthen their organisation. All the experiments that we make can usefully be discussed later on by representatives of all these bodies coming together and discussing them among themselves. We cannot say how long the ban on the Congress Committee will last and how long the substitute bodies will have to work. My hope is that if the Provincial Assemblies or Committees, which are functioning at present, evolve new plans for strengthening the Congress organisation, their efforts in this direction will prove useful to the Indian National Congress when it begins to function normally and that the Congress may then, by adopting some of the lines evolved by the interim bodies, come out stronger, purer and more virile from the trial through which it would have passed.

14. Independence Day

Editorial, *Free Press Journal*,¹ 26 January 1945.

There are signs that the public will be observing Independence Day today, after its own manner.

The message given by Gandhiji is one that calls for introspection and re-dedication.

Until freedom is won, it cannot be anything else but a day of much soul-searching.

Today the outlook seems particularly unpromising. Not because Independence has not been won. Not because of the valiant fighters for freedom who are still under duress. Not even because of the sacrifices of the many which have gone well-nigh unnoticed.

The darkness and the gloom have developed like a miasma from the peace efforts of those who have faltered in the fight, from the deadlock-mongers and the petitioners who would argue out their case before an authority which is deaf to their pleadings.

The stalwarts and the veterans have been silenced—for the time being. The voice of Political India is mute.

In its place is heard the vacillating notes of the Leaders' Committee, changing from conciliation to fact-finding and back again. And against this background move the shadowy figures of the pact-seekers trying to patch a truce.

These are but the mechanism of politics. They do not crowd out the supreme ideal.

On this day, there is no need for messages. Pledges, which seem much in vogue, are pointless.

Every Indian knows in his heart of hearts what it is he wants for his country. Outside voices are shut out. The message of Independence does not need a trumpet.

It is no cause for surprise that authority, exercising its little power, should from Madras and Sind and the Punjab, seek to suppress popular demonstrations and stifle public opinion.

If the Freedom Movement were dead, there would have been no need for these exhibitions of official, bureaucratic strength.

The stifling orders banning meetings on this day are themselves silent tributes to the Movement.

By a curious irony, the Spirit of Freedom cannot be denied least of all by those who would suppress it.

The author of one of the most vicious attacks on Indian Nationalism, after two hundred and fifty pages of insensate and intemperate abuse and misrepresentation, ends up with an admission of the suppressed truth.

Peace, law and liberty, he claims, Britain gave to India, and 'may be it is in India that they will have their finest flowering'.

Spiritually, argues the illogical Beverley Nichols,² Britain will never quit India.

If these three be the spiritual heritage of Britain, the British can draw small consolation from the fact that their representatives in India have set themselves against them, and that they have left it to Indian Nationalism to maintain the ideals of liberty and law and peace.

For it is because of these things that the British spiritually have already quit India.

¹ The *Free Press Journal* was published from Bombay. J.K. Cowley was its editor during the year 1945.

² Beverley Nichols, author and composer; wrote a number of books on different subjects of art and life, including *Verdict on India* (1944).

15. Independence Day

Editorial, *Amrita Bazar Patrika*, 26 January 1945.

A decade and a half have passed away. It has been a crowded chapter of India's history. It has been a period of ups and downs, of booms and depressions, of triumphs and reverses. Not a march from Tokyo to Delhi or from Berlin to Moscow in search of spoils of Asiatic co-prosperity or of fresh fields and pastures new for the *Herrenvolk*, but all the same a march, a difficult and exhausting march in search of a great, proud and ancient nation's lost freedom. Many in the journey have fallen. All honour to them! Many have gone astray. We can only pity them. Others pursue the journey tirelessly and without the fatigue of mind or body. There were cynics in those days of doubt and confusion who thought that it was the Congress's utopia when as India's chosen *Rastrapati* Pandit Jawaharlal Nehru sang the music of freedom at Lahore in 1929 and hoisted the

Flag of Independence. It is no longer the dream of a poet. It is no longer the vision of a seer. It is now the positive programme of a whole nation. The Hindu Mahasabha professes its allegiance to it. Equally loud is the Muslim League in proclaiming its loyalty to the creed.

Many were the difficulties that Congressmen and women had to encounter after 1929 in making their voice heard by many of their own people, Hindu, Muslim and Sikh. Many were the hurdles they had to negotiate. At one end there was an atmosphere of pathetic contentment born of slavery and fear of the unknown. At the other end there was the heavy roller of repression as devastating as it was ruthless. But the Congress triumphed. It triumphed by the force of its character and its emphasis on values. The prospect of full and complete freedom creates no terror. Independence is not a distant and desolate cry. But have we reached the journey's end? Have we achieved the ideal which the nation set before it fifteen years ago? If, as is clear, we have not, we must not relax in our journey or falsify the hopes that the generations that are passed by were encouraged to build on our toil and sweat. What is fifteen years in the life-time of a nation? If winter comes, they say, spring is not far behind. Let us march on and march ahead. There are soft whispers in the air. There is fragrance of the lovely flower in the wilds around. The day is not far distant, the great day of deliverance from the superman's heavy-roller or of the noble man's tyranny. Freedom is knocking at your door. Only you fail to respond to its call or hesitate to look ahead. Never in history has it come by way of gift or deed of transfer from one nation to other. Never has the tyrant liberated men and women groaning under his subjection. But the process of history is inexorable. It owns no defeat. It goes on in a stately march in the unfolding drama of events.

Today millions will pledge themselves anew to the vow that they took at Lahore. Old and young, rich and poor, and men and women and children will recall the event that gave them an ideal and set the pattern of collective, organised life. Old men will cast aside their wisdom and women their cloistered domesticity. Children will throw away their books. They will all rejoice in the triumphs of the years. They will ponder their reverses too. The National Flag will fly from every home. There will be humming of the spinning wheel. There will be processions also. On this occasion, be it noted, no conflict with Authority is intended. One presumes that those with whom power lies will not provoke it either. The occasion is not a challenge to the law or the lawgiver. It signalises the nation's determination to win its legitimate and rightful place in the scheme of things. Freedom as conceived by the Congress is not slavery for others. Independence as fore-shadowed is in no sense isolation from the rest of mankind. It is creative. It is all-embracing. It is a call to human fellowship based on the equalitarian principle of, from each nation according to its capacity to each nation according to its requirements. While observing the day in all solemnity we should do well, each in our own way, to examine the profit-and-loss account of the period through which we have passed and to apply our minds to the causes that have hindered progress or prolonged the humiliation of trusteeship. We must harness to the ideal we cherish the constructive resources which the nation possesses and to the slogans that we shout the energy and drive and passion of a people out to dare and, if need be, to die. Let there be no illusion. Let there be no make-believe. Let there be a searching of hearts.



16. Ardeshir Dalal on National Government

Extracts from a press statement by Ardeshir Dalal,¹ Member Planning and Development, GOI, Madras, 25 January 1945.²

Hindu,³ Madras, 26 January 1945.

Madras, 25 January. 'It is very necessary', the Planning Member declared, 'for bringing the plans in contemplation into full fruition, there should be a National Government, because, a number of controls, restrictions and interferences with the habits of people are involved in executing plans of the kind and character proposed, and these can only be carried through by a Government which has the full support of the people behind it. But the problem to-day is that we have not got a National Government and that in the meantime we cannot sit still and do nothing. If we do not prepare the country in the matter of the transition from war to peace, as every other part of the world is doing, it will lead us to complete disaster'.

Answering a further question, Sir Ardeshir stated that speaking for himself, he sincerely hoped that a National Government would come into power before the end of the war so that they could tackle the peace problems with ease and efficiency.

'By a National Government, I mean a Government', he said replying to a further question, 'which is truly national in every sense of the term, representative of all parties and interests in the country'.

¹ Ardeshir Dalal (1884–1949)—industrialist of Bombay and one of the authors of Bombay Plan I and II (1944 and 1945), envisaging the industrial development of India after the war.

² See Chapter 7 Section III for his statement on Post-War Reconstruction.

³ *Hindu*—a nationalist English daily published from Madras. K. Srinivasan was its Editor during the year 1945. The paper was a staunch supporter of the demand for freedom.

17. Celebration of Independence Day in Allahabad

Leader, 27 January 1945.

Allahabad, 26 January. The 'Independence Day' was celebrated here today with the usual flag salutation and pledge-taking ceremonies.

A notable feature of the celebrations here was flag 'hoisting' at Anand Bhawan by a baby in arm, the grandson of Pandit Jawaharlal Nehru (son of Mr and Mrs Feroze Gandhi).¹

The ceremony was performed early in the morning in the presence of the inmates of the Anand Bhawan and a few others. Mrs Indira Gandhi² carried her baby in arm, who was given the rope in his hand and the flag was unfurled in the midst of the usual slogans.

The flag salutation ceremony at Swaraj Bhawan, a portion of which, occupied by the All-India Congress Committee office, is under police guard, was performed by Mr S.D. Upadhyaya, Secretary to Pandit Jawaharlal Nehru.

The central place for today's flag hoisting ceremony was the residence of the president of the Provincial Congress Representative Assembly, the Hon. Babu Purushottam Das Tandon. The ceremony was performed by Dr Kailas Nath Katju in the presence of the prominent Congress workers of the city and others, mainly the members of the Allahabad City Congress Representative Assembly. After the ceremony the visitors were entertained to tea and refreshments by Tandonji. Flag hoisting ceremonies were held, simultaneously, at numerous University and other students' hostels and some other places, including the *Patrika* office, where the ceremony was performed by the Hon. Babu Purushottam Das Tandon. The guests, among whom were Mr and Mrs Feroze

Gandhi,³ Mrs Hthessing, Mr Muzaffar Husain, Mr Mangala Prasad and Mr K.K. Bhattacharya, and journalists present were entertained to tea and Bengali sweets after the ceremony at the *Patrika* office.

At places the pledges were taken along with the flag salutation ceremonies in the morning; but the programme of celebrations chalked out on behalf of the City Congress Representative Assembly included pledge taking at the office in Johnstonganj of the Provincial Representative Assembly of Congressmen from 3 p.m. This was preceded by a spinning programme in Muhammad Ali Park from noon.

In view of the prevalence of the 'ancient' order under rule 56 of the Defence of India Rules, forbidding public meetings and processions, organizers avoided gatherings which could be interpreted as breaches of the order. Consequently pledges at the Congress office were taken in batches of four.

The attendance in University classes and at a number of other educational institutions was reported to be poor, many students having abstained from classes. There was, however, no picketing.

The pledge-taking ceremony at the Congress office in Johnstonganj being in batches of four lasted for over three hours and it is estimated that about 300 persons took the pledge there. Sweets were also distributed and the chiragh illuminations were made at the Congress office and some other places. Flags were displayed at numerous shops also.

The police precautions were very elaborate. They included patrolling by police in patrol cars, and mounted presence of even armed guards in Sowars, posting of pickets in the Muhammad Ali Park and some other places to prevent breaches of the rule 56 order. During the flag salutation ceremony at the residence of Tandonji, Mr Ram Narain Sinha, DSP Intelligence, was present along with some other members of the DIS (District Intelligence Service) while K.B. Andul Rashid Khan stayed outside in a patrol car along with a police party.

'They are here perhaps to prevent independence slipping in', remarked, humourously, Mr R.N. Basu, advocate, seeing the presence of police in front of the *Patrika* office this morning at the time of the flag ceremony.

Pandit Sundar Lal addressed a meeting at the Christian College this evening.

A meeting was held at the Allahabad Agricultural Institute this morning, under the auspices of the Students' Union of the Institute for the celebration of the 'Independence Day', Mr G.P. Barpute presiding. Students wore tri-colour badges.

The programme of the 'Independence Day' celebrations by the students of the Prayag Mahila Vidyapith included flag salutation, sale of tri-colour flags and badges, and spinning. A resolution demanding the release of Chimur-Ashti case accused and other political prisoners was passed.

The reported removal, by the headmaster, of the national flag shortly after it had been hoisted by the students at the Dariaganj High School, has caused resentment among the students of the school, who, it is said later refused to participate in the school 'Our Day' function.

Shree Prayag Shudh Khadi Bhandar sold during the 'Independence Day Week', which concluded today, according to Mr Beni Madho Gupta, its proprietor, about 2,000 tri-colour Khadi flowers, 5,000 small badges and 2,000 flags.

The flag hoisting ceremony at the Jain Hostel was performed by Mr Feroze Gandhi.

¹ Rajiv Gandhi (1944-91)—son of Feroze Gandhi and Indira Gandhi, was Prime Minister of India 1984-89.

² Indira Gandhi (1917-84) was Prime Minister 1966-77 and 1980-1984.

³ Feroze Gandhi (1915-59)—husband of Indira Gandhi, was member of Parliament and resigned.



18. Celebration of Independence Day in Bombay

Bombay Chronicle,¹ 27 January 1945.

The tri-colour went up the flag-mast and fluttered in all its glory in hundreds of localities of Bombay in the early hours of the morning, heralding a day-long crowded programme in observance of the Independence Day in the city.

Unfurling the nation's banner in the compound of Sicca Nagar Vithalbhai Patel Road, before a vast gathering of men and women who had taken the Independence pledge, Mrs Sarojini Naidu, member of the Congress Working Committee declared:

Remember, you have taken the pledge under this banner. Your life no longer belongs to you. It is dedicated to the cause of freedom. Young and old, we shall march without fear. If there is a providence, we will be free when we salute this flag again after a year.

It was shortly after midnight of Thursday that the programme of flag hoisting and pledge reading was launched under the auspices of the District and Taluka Congress Committees. For the first time in the history of the City Congress, portable flag masts of uniform height installed on pedestals had been kept ready by the Seva Dal. One hundred and eight of these were distributed in the various wards overnight. Hundreds of volunteers and Sevikas armed with collection boxes for the Harijan Fund and button flags were in the streets by sunrise in the seven wards of the city.

Residents of Manuwar Wadi, Kamathipura were the earliest in the day to gather in a private compound and pay homage to the tri-colour. Mr S.K. Patil and several other Corporators were present to read the pledge.

The main function of the morning was arranged in the compound of Sicca Nagar where Mrs Sarojini Naidu, Mr Nagindas T. Master, Mr Mangaldas M. Pakwasa and Mr S.K. Patil were among the gathering. The pledge was read in Hindi by Mr Nagindas Master, in English by Mr Mangaldas Pakwasa, in Marathi by Mr S.K. Patil, in Urdu by Mr Makhmur Hussain and in Gujarati by Mr S.K. Vaidya. Standing at the foot of the flag mast, Mrs Naidu, who wore a garland of Khadi yarn said:

'I am ill. My voice is feeble. Still I wish to say a few words. The pledge has been read to you in five languages. You have heard it. Let all of us with one spirit and one voice take the pledge under this flag.

Whoever the Commander who leads us under this banner, he will have to lead us along the path of uprightness, sacrifice and unity to the goal of Swaraj. Today the world over, fields of battle are strewn with corpses of men killed in their youth. They are fighting their own battles with the weapons of their choice. We too have to fight our own battle and we have to choose our weapons. Mahatma Gandhi has given us a weapon, a unique weapon—the weapon of non-violence.

We will fight with this weapon of non-violence. We will not give each other away. We will protect each other's honour.

Attempts are being made to sow the seeds of disunity in the Congress. Standing under this flag, let us pledge our loyalty. We will not be traitors. Till freedom is won, we will keep the battle going'.

Pointing out to Mr Nagindas Master and to herself, Mrs Naidu said:

'Our time is up. We are old. Still we are prepared to march ahead with you. I will go with you. I will go ahead of you. I may be ill but my spirit is strong. My soul is not ill.

We are of the Congress. We will do our duty by it. We will not allow its name to be besmirched. We will not tolerate disloyalty to it. We will not allow it to be dishonoured. As long as the Congress exists, it will continue to wage the fight for freedom. Once freedom is won Congress may dissolve itself. Once the nation is free there is no more need for the Congress.

Meanwhile, take this pledge with me. Till our last breath we will not betray this flag. We will not barter away each other's freedom. As long as freedom is not within our grasp nothing else is of any account. Till then we will march on the road to freedom.

Remember you have taken the pledge under this flag. Your life no longer belongs to you. It is dedicated to the cause of freedom.

Young and old, we shall march without fear. If there is a providence, when we salute this flag again after a year, we will be free'.

Citizens in all the wards joined in mass spinning after the flag hoisting. Led by Congress Corporators, hundreds of men and women visited Harijan localities in the city and settled down to clean their houses. Children of different communities mingled with Harijans in a bath in the sea at Dadar.

II

After unfolding the tri-colour on the occasion of celebrating the Independence Day, organised by the Khalsa College Union in the college premises this morning, Mrs Sarojini Naidu emphasized the implications of the pledge and the symbolism of the flag, the importance of non-violence and the construction programme and pleaded for an atmosphere of harmony, free from feuds and suspicions, bitterness and rancour.

She said that they might stumble or flatter but if there was enlightenment in their hearts, let them carry the torch through the tunnels of darkness to the edge of the horizon where the dawn was rising in purple and gold.

At the outset Mr M.M. Pakwasa made a plea to the students for active assistance in the campaign against illiteracy, as the work involved no politics.

Mrs Sarojini Naidu said that the students gathered there had saluted on that day the national flag: they had taken the pledge to work for the attainment of Purna Swaraj. She wondered if those young men and women who saluted the flag and took the pledge, realised the implications of the pledge or the symbolism of the flag. As she had said, they had yet to earn the flag which, today, was but a symbol of that freedom to be. She wanted that they should by their efforts, sincerity and unity, make that flag a real flag of freedom.

By taking the pledge, they had promised not one thing but many things; they had promised to redeem the country not merely from political bondage but also from economic bondage; to redeem the country from every other bondage of superstition, fear, disunity, domination and hunger.

Expanding Mr Pakwasa's plea, she pointed out how passionate was the hunger for knowledge in this country; it was, in fact, one of the most impeccable of all hungers. The saying of that prophet who spread the doctrine of brotherhood that the ink in the well of a scholar was more precious than the blood of the martyrs held good for all times. The more knowledge one had, the more united he felt with the rest of humanity.

But she had come on that occasion to make a plea of her own. She should have been in her bed; but she disobeyed doctors. She, however, did not want to inculcate disobedience in young minds, except on such occasions when civil disobedience was demanded of them. She had come there to make a plea. She had come to ask them to work for the independence of the country. In that process of working, two or three essential things had to be remembered: otherwise all their pledges would be a mockery and an irony.

The young generation, she added, could hope to create an atmosphere of harmony by not involving themselves in foolish feuds and quarrels which separated community from community. To whatever community they might belong, they should keep high the stature of the nation; she referred to the sense of human emancipation which was spreading in the country. In Madras and

Malabar, they were trying to redeem the Harijans; in Bengal, the work of rehabilitating thousands of destitutes was going on; even society women were taking part in this type of work.

There was, then, the constructive programme. It might sound dull. How long should they spin, they might ask themselves. But the constructive programme was only a symbol; it was dynamic; it touched vital points; it contributed to the comprehensive sum-total of independent life; it meant the teaching of all modern things one wanted to learn; it brought gaiety to the art of living and created things joy.

Then there was the question of non-violence. After they were caught by the hair, as it were, and taken to jails, there was a misunderstanding that non-violence had been thrown to the winds. When they took the pledge, they should realise that non-violence had not been thrown to the winds. That weapon was still dynamic and creative; it required rare courage to wield that weapon for the prosecution of the war of independence. But there was so much suspicion in the country; there was so much bitterness and rancour; each accused the other of being treacherous and faithless; each accused the other as inimical and hostile. Was it not a shame that such thoughts should exist and such feelings should continue.

Under the flag which they unfurled, there was no room for faithlessness to one another; they must be loyal to one another. After they left their college, whatever avocation they might take, whether they were rich or poor, they should make their personal contribution towards the fulfillment of the pledge which they had taken. And when they settled down in life, they should remember that their homes were not bounded by a roof and four walls and that they should not think that the neighbour who lived next door was a pest. Their homes had expanded walls and their hearts should expand. Their neighbour needed relief. That should be their mission as comrades. In India there was no room for separation. It was a sense of inferiority which made men and women feel separated and segregated. People should have equal responsibilities and should share equal duties with those who faced the trials and travails of life.

Concluding she said: 'We may stumble or we may falter; but if in our hearts, there is enlightenment let us carry the torch through the tunnels of darkness to the edge of the horizon where the dawn is rising in purple and gold.'

Principal G.B. Jathar proposed a vote of thanks.

III

'India belongs not to one community and creed but to four hundred millions of Indians,' said Mr Suresh Vaidya while addressing a meeting to celebrate the Independence Day held under the joint auspices of the Nationalist Christian Party, the Freedom Group, the Muslim Mujlis, the Nationalist Harijan Party and Sikh Nationalists at the Fellowship School Hall Gowalia Tank; Mr John S.S. Malelu presided.

Mr Vaidya added that the communal problem was the creation of Britain and would disappear after she had left India.

He said: 'This war has blown the myth that a nation is stronger because of her arms or gold. Germany had no gold and Russian gold was not known. Strength depends on country's population and natural resources which India has in abundance. Hostile papers and propagandists in Britain have come to realise that India is going to be a great nation in the future.'

He further said that the conception of nation was disappearing, giving place to federation, 'Europe today is paying in blood for sticking so far to the rigid conception of nationalism. I visualize a federation of India in Asia stretching from Dardanelles to the Straits of Singapore. Otherwise India's freedom may not be lasting. Asia and Africa which have 95 per cent of the world's colonies for white people, when become free, will destroy all imperialism. This is no dream. It is fast

becoming a reality. Today an Indian walks in the streets of Washington and London without any inferiority complex backed up by the tremendous sacrifices made by Indians for freedom’.

IV

In celebration of the Independence Day the workers of the Bombay Students’ Union (Nationalist) were very active since the morning. At 8.30 a.m. the flag salutation was performed in the office of the Union (42, Kennedy Bridge). Later the students went round the city streets enrolling Congress members, addressing students’ meetings and collecting money for the Political Sufferers’ Fund.

In the evening a meeting was held where Mr Prabhakar Kunte, Mr Chandrakant Dalal, Mr Prahalad Mehta, Mr Amarchand Jariwala and Mr Mishra addressed the students. The Independence pledge was read by Mr Himat Jhaveri.

V

A meeting of the students of the Wilson College was held in the College Hall today, with Principal Kellock in the chair. A large number of students attended it. The meeting commenced with a song, ‘Pyara Hindustan’. Mr M.R. Gaitonde, Mr S.T. Kothari and Miss V. Bakaya, students of the College, addressed the meeting.

The following resolution was moved from the Chair and passed unanimously:

This meeting of Wilson College students hereby expresses its resolve to seek the fullest freedom or Purna Swaraj and the highest good of India. In seeking it they pledge themselves to practice the constructive programme of Mahatma Gandhi in their daily lives.

In a short prayer Principal Kellock involved the guidance and blessing of God upon India’s people and her future.

VI

The Goan Youth League met at its office today to celebrate the Independence Day. The meeting was very well attended. The following pledge was taken after hoisting the National Flag:

‘The British and the Portuguese Government in India have not only deprived the Indian people of their freedom but have exploited the masses. We believe, therefore, that India must sever alien connections and attain Purna Swaraj. We believe that Goa is an integral part of India and must take the fullest part on India’s struggle for Independence.

Mrs Lilavati Munshi unfurled the flag at Topiwalla Mansion, Sandhurst Road. The pledge was read by Mr R.K. Hardikar, Chairman of the Khetwadi Taluka Congress Samiti.

Residents of Tardeo joined in the flag hoisting ceremony at Sri Ram Nivas, Frere Bridge where Mr S.G. Songaonkar presided. The pledge was read by Mr V.M. Kande, Chairman of the Taluka Congress Samiti. After visiting Harijan localities at Anesley Road, residents of Tardeo and Khetwadi joined in mass spinning organised by the Girgaun District Congress Committee.

At noon, members partook of a lunch described as ‘Karagraha bhojan’ comprising of jail menu. A spinning class was inaugurated at 3 p.m. at Shri Ram Nivas at Frere Bridge and later a study class for Congress workers was inaugurated by Mr S.K. Patil. Mr K.M. Bhujpuria presided at a flag hoisting ceremony at Rajuji Manji Chawl, Sun Mill Road at Lower Parel. At Talcharkarwadi, DeLisle Road, Mr R.N. Savant presided. Identical functions were held at Irani Chawl, Saitan Chowki under the presidentship of Mr J.S. Sharma, at Om Samarth Bharat Vyayan Mandir, Dadar under the presidentship of Mr J.S. Patel, at Pratap Vyayam Shala, Lady Hardinge Road, Matunga under the presidentship of Mr Jamnadas Dwarkadas.

Flag salutations were also held at the following places under the auspices of the 'F' Ward District Congress Committee: Krishna Nagar, Parel, Kaddodi Chawl, Parel, Soonawalla Building, Vincent Road, Virchand Niwas compound, Sweri Naka, Jain Boarding House, King's Circle.

Women of different communities joined in a Sammelan to which Harijan women had been invited at Kapoli Niwas, Matunga.

Mass Spinning

Gumasla Sammelan at Saraswati High School, Lalbaug Kamgar Sammelan at Surendra Mansion, Parel Gymnasium instructors' gathering at Parel High School, Nare Park, were the other items in connection with the Independence Day programme of 'F' Ward District Congress Committee.

A large number of Matunga residents joined in mass spinning in the evening at South Indian Association's Pioneer School.

Members of the Municipal Congress Party launched a 'cleaner city' drive in the morning by visiting their respective wards for cleaning purpose.

¹ *Bombay Chronicle*, one of the leading English dailies in Western India, was published from Bombay and consistently supported the movement for India's freedom. S.A. Brelvi was its editor in 1945.

19. Celebration of Independence Day in Delhi

Report by A.V. Ashwith, Chief Commissioner, Delhi, Confid. DO No. FL/45 dated 20 January 1945 to Conran-Smith, Secretary, Government of India.

Delhi State Archives, Serial No. 21, Consolidated List File 1/45 and Fortnightly Report, January–August 1945, NAI.

Confidential
DO No. 1/45.SB

Delhi
5 February 1945

Report for the second half of January 1945

...

My Dear Conran-Smith,

The following is my report for the second half of January.

Political: An attempt on the part of about a dozen persons to hold a flag ceremony in Connaught Place in New Delhi was the only instance of violation of the law on the 26th January, and lawful manifestations were confined to the display of Congress flags on a number of shops in two bazaars, the sale of a small number of miniature flags and the closing of the Birla Mills and of two colleges. Nevertheless, Congress rehabilitation is proceeding steadily, and a meeting of which the ostensible object was to evoke sympathy on behalf of Musammat Satyavati, who is externed from Delhi, and which attracted an audience of two thousand persons, constitutes the biggest Congress meeting since the troubles of 1942. Visits have also been paid by Devadas Gandhi and Miss Slade¹ at a village in Delhi with the object of starting a maternity centre at the cost of the Kasturba Memorial Fund....

Yours sincerely,
A.V. Ashwith

The Hon'ble Mr E. Conran-Smith, CSI, CIE, ICS
Secretary to the Government of India
Home Department
New Delhi

Office of the Special Press Adviser, Delhi.

Appendix-I

Report on the tone of the Press for the fortnight ending the 31st January 1945.

General Tone: *The Hindustan Times*, *National Call*, *Tej*, *Watan*, *Vishwamitra* and *Vir Arjun* condemned the Government for banning the Independence Day celebrations. They exhorted the people to remain non-violent and carry out the constructive programme laid down by Mr Gandhi. *The Dawn*, *Arjam* and *Wahdat*, on the other hand, deprecated the Congress effort to hold an Independence Day celebration and approved of the Government's action in banning it....

S. Prasada
Special Press Adviser, Delhi

¹ Born in England in 1892 as Madeleine Slade, she was greatly influenced by Mahatma Gandhi and joined Sabarmati Ashram immediately after landing in India in 1925; accompanied Gandhi to London for Second Round Table Conference in 1932. She was arrested along with Gandhi on 9 August 1942 and was in Aga Khan Palace from August 1942 to May 1944. She was popularly known as 'Meera Behn'.

20. S.A. Brelvi Protests Against Restrictions on the Freedom of Press

Presidential Address by S.A. Brelvi¹ to the Fourth Session of the All India Newspaper Editors' Conference held in Calcutta on 27 January 1945.

Indian Annual Register, 1945, Vol. I, pp. 336-44. Also see *Amrita Bazar Patrika*, 28 January 1945.

Though this Conference was brought into being forty years ago to meet a grave crisis that faced the Press in this country, it has come to stay and I have not the slightest doubt that not only will it continue to exist after the war but it will have a great and increasingly useful role to play in the future in helping the Press in India to become one of the great forces contributing to the extension of the bounds of human freedom, knowledge, progress and happiness.

By its very composition it belongs to no particular party. It seems to achieve objects which every newspaper must consider as its own. It has a large membership and the number of its member is steadily increasing. May I take this opportunity of appealing to those newspapers which, owing to indifference or other reasons, have not yet joined this Conference, to do so as soon as possible?

This Conference has, during the brief period of its existence, become a great power. It can become a greater power for the service of the country and its Press if it continues to receive the active and loyal adherence and support of newspapers in the country. The objects of our Conference, as defined in our constitution are:

To safeguard the high traditions and standards of journalism; to safeguard the rights of the Press in general and in particular the freedom of publication of news and comments, to secure facilities and privileges to the Press for the due discharge of its responsibilities; to set up committees which would act as liaison bodies between the Government and the Press as a whole; and to establish and develop contacts with Associations having similar objects in other countries.

To consider the last-named object first, owing mainly to difficulties created by the war we have not established any contact with Press organisations in other countries. In our last session at Madras we passed a resolution according our whole-hearted approval to the American Editors' proposal that the Peace Conference should guarantee freedom of the Press throughout the world. Speaking on your behalf last year I ventured to declare that we the editors of India, fully associated ourselves with the editors of the United States in the move they had made—with this addendum that when the Peace Conference guaranteed freedom of the Press and other freedoms to all the nations of the world the guarantee for India should not be on paper alone. During this year the American Society of Newspaper Editors has carried the matter a step further and has put forward a proposal for a News Charter for the world ensuring the removal of all political, economic and military obstacles to the freedom of world information in peace times.

No public organisation in the world will more enthusiastically welcome this programme and more zealously contribute its endeavour to see that it is carried out than this Conference. This Conference will also whole-heartedly co-operate with the Committee of the American Society of Newspaper Editors which is now touring in different countries to confer with 'appropriate Governmental bodies, Press associations, newspaper and radio executives' regarding the American-sponsored programme for free exchange of information and which is expected to visit this country also very soon. The need for a world News Charter has been brought home to the American Editors by the realisation that freedom of the Press and free exchange of world information can most effectively guarantee peace. Hitler, by controlling news and radio services, prepared the German people for the first Great War through the German News Agency, *Wolf Bureau*, now known as DNB. The militarists of Japan also followed similar tactics.

But as Mr Kent Cooper, Executive head of the Associated Press of America, pointed out, 'What is not generally known and what must be fully understood, if there is to be any success in purifying the flow and counterflow of international news and information, is that what the Nazis did is an extreme form of what has gone on steadily throughout most of the world under our very noses'. He complains that even as recently as during the years immediately preceding this war, in many countries rarely world news from the United States could be found unless it were an item dealing with a Chicago gangster killing or a Hollywood divorce case. This was largely the result of the working of the monopoly, in the purveying of news enjoyed by British, French and German news agencies controlled or influenced by their respective Government. This rise of the American news agencies did something to break this monopoly and mitigate its evil effects ... in Ottawa, leaders of Canada's major political parties, including the Prime Minister, issued statements declaring that world-wide freedom to exchange news was essential to the well-being of mankind. These statements were issued in response to a resolution passed unanimously by the board of directors of the Canadian Press calling for an international pact to protect world interchange of news. Nothing could be more welcome to us than this world movement for a guarantee of freedom of the Press written into peace treaties in definite and unequivocal language.

But the bitter experience has taught us to beware of fine phrases which are not translated into deeds. Few countries have suffered in the past and still continue to suffer more than India from systematic and purposeful distortion, perversion and choking of news channels. Not only has India been grossly misrepresented abroad but she has also not known a genuinely free Press at home. More than the free nations of the world we in India have a vivid realisation of the truth that peace among nations cannot be maintained unless true democracy is established in every part of the world and that true democracy itself cannot exist without those vital freedoms of which freedom of the Press is the most important.

For countries like India, News Charter, even if embodied in peace treaties, will not be worth the paper on which it is written unless the peace treaties usher in the dissolution of imperialism as well as the destruction of Nazism and Fascism. The Press in India has thus to work both for its own freedom and that of the country. We stand, first and foremost, for the political freedom of India. We stand for freedom of the Press. We stand for the emancipation of the radio as well as all other channels of information from monopolistic control either of government or private agencies.

While we shall co-operate with our American friends in the task they have set out to accomplish, we cannot forget that we have an urgent problem of our own to solve and we must insist that, in the meanwhile the Press in India should be placed on the same footing as is the Press in Britain and in the United States. In the United States freedom of the Press is guaranteed by the First Amendment to the Constitution. The British Press is in fact as free as the Press in the USA though there are no positive statutory provisions guaranteeing such freedom. In our own country not only is freedom of the Press not guaranteed but it is also seriously restricted. The laws which fetter the freedom of the journalist are as formidable as they are numerous.

We recognise that in times of war, freedom of the Press must be restricted so as to prevent the publication of news valuable to the enemy and our agreement with the Government of India, known as the Delhi Agreement, is based on the recognition of this vital fact. We have agreed not to impede war effort, but at the same time we have made it plain that we cannot and will not be a party to the suppression of normal political activity in the name of war.

Our complaint against the Government is that they have, on many occasions, used the powers given to them under the Defence of India Rules not strictly and exclusively to secure the unhampered prosecution of the war but to serve their own political ends by suppressing news and views not palatable to them.

The Defence of India Rules were promulgated five years ago and so were the Press instructions based on them. Many of these rules and instructions are drastic enough to enable the Government to deal with any writings in the Press which may be valuable to the enemy or are likely to impede war efforts and do not need a resort to the Press Emergency Act which must, therefore be repealed immediately. But there are a number of these rules and instructions which, in view of the altered aspect of the war and the internal situation in the country, have become either unnecessary or unduly restrictive of the legitimate functioning of the Press. Similarly the political situation in the country has so completely changed as to justify a revision of the Bombay resolution so as to leave the Press completely unfettered to ventilate legitimate grievances regarding for instance the treatment of political prisoners and detenus and the misuse of their powers by the police. The revision of Bombay resolution and modification of Defence of India Rules and Press instructions do not brook delay.

The establishment of the consultative machinery is one thing; its satisfactory working is, however a different thing. Last year this Conference noted with regret that this machinery was not uniformly helpful in all provinces and that there were complaints from several provinces that the Press Advisory Committees were not consulted and that where their advice was sought it was sometimes ignored without sufficient justification and that if the Press Advisory System has to endure there should be greater regard and respect shown to the recommendations of the Committee by Government. Though the position has improved since we met last the improvement has not been very appreciable and neither the policy nor the procedure regarding this matter is uniform in all provinces.

The Government of India holds the view that the only way in which good relations can be maintained, and existing relations improved where necessary, is for representatives of Provincial Committees to establish personal contacts with high officials of Provincial Governments and to

impress on them the genuine desire of the Press to co-operate. This is, however, only a one-sided view. The obligation to establish personal contacts and the desire to co-operate should be reciprocal. The fact that, in spite of the persistent demand on our part it has taken some of the Provincial Governments nearly four years to agree even to the establishment of Provincial Advisory Committees in their provinces is a sufficiently eloquent testimony to the manner in which the Delhi Agreement has been implemented. Some officials, who have to deal with the Press, even seem to be unaware of the existence of this Agreement. There are some other officials who hold a strange notion about the co-operation that we and the Government desire should exist between us for carrying out, in the letter and the spirit, the Delhi and Bombay Agreements. They seem to think that the whole object of the consultative machinery is to harmonise relations between Government and the Press in order to promote war effort and they would like to penalise newspapers which fail to support war effort.

Some official misinterpreted the Delhi Agreement and the Bombay resolution by seeking to prevent the publication of statements of some Congress leaders even if they did not contravene their provisions. The Standing Committee, therefore, in its meeting in March last year, passed a resolution making it quite clear that under the Delhi Agreement and the Bombay Resolution the Press was free to publish statements by any political leader so long as they did not contravene the terms of the agreement and the resolution and it protested against the imposition of restrictions in this respect on the basis of the character of the organisation to which a particular person belonged.

Unfortunately, the most flagrant violation of the Agreement between the Government and the Press was made by the Chief Commissioner of Delhi, the seat of the Government of India. In January last year the *National Call* and the *Hindustan Times*, published a report of a Press Conference held by Mrs Sarojini Naidu, a member of the Congress Working Committee. There was nothing in the report which was repugnant to the Delhi Agreement or the Bombay Resolution and the Central Press Advisory Committee which was consulted, held that no action was called for and yet orders of pre-censorship were served on these two papers. The obnoxious character of these orders was aggravated by subjecting comments also to pre-censorship. Nor was that all. The circumstances in which the orders were passed suggested that Press advice was obligatory. The Standing Committee, therefore while demanding the immediate withdrawal of the orders, considered it necessary to reiterate that Press advice was not obligatory on editors and its rejection by itself did not constitute an offence. The orders were allowed to continue for sometime and then withdrawn.

Similarly deplorable was the order served on Mrs Sarojini Naidu prohibiting her from making statements of any kind, whether prejudicial or otherwise, to the Press. This was not merely an inexcusable misuse of the powers vested in the Executive under the Defence of India Rules but was also an unwarranted interference with the liberty of the Press.

The Government of the Central Provinces forfeited the Security of the *Nagpur Times* and also ordered the prosecution of the editors, assistant editors and publishers of that paper and the *Hitavada* without consulting the Press Advisory Committee. The action of the Government in prosecuting the assistant editors, who are not legally responsible for what is published in a newspaper, was most extra-ordinary and constituted a deplorable breach of the universally recognised convention of the journalistic profession that responsibility for any publication should be fixed only on the editor, the printer and the publisher and not on any subordinate member of the editorial staff. I trust that, in future, Government will see that this convention is respected.

There have been occasions when Provincial Governments have either forfeited or demanded securities from newspapers when, in the opinion of Provincial Press Advisory Committees such drastic action was not called for. May I suggest that in the interest of good relations between the

Government and the Press, not only should such orders be cancelled but that all other cases in which securities have been held by Government for a considerable time should be reviewed periodically and the securities returned?

Soon after the arrest of Gandhiji in 1942, the Government of Bombay took possession of the Navjivan Press where *Harijan* was published and valuable old files of *Harijan* and other important papers and documents were destroyed by a subordinate officer acting under Government instruction. The Standing Committee, at its meeting held at Karachi in July, having before it the correspondence between Mahatma Gandhi and the Bombay Government narrating the circumstances which led to this act of vandalism, protested against it and asked Government that, in future, in no circumstances should orders be given to damage or destroy old files of newspapers and documents which were in the nature of recorded history. The Committee's demand is so reasonable that no Government, which has respect for decencies of public life, should refuse to satisfy it.

In October without consultation with the Provincial Press Advisory Committee an order was served on the *Amrita Bazar Patrika* and the *Leader* requiring these papers to submit all matter printed in them to scrutiny by a sub-inspector of police. Under the agreement between the Government of India and this conference while editors have undertaken to be their own censors, Government have, on their part, undertaken not to impose general orders of pre-censorship on newspapers. The Allahabad order was a gross violation of this agreement, besides being an affront to responsible editors who were subjected to the indignity of submitting their writing to the scrutiny of a sub-inspector of police. The fact that this order was withdrawn within twenty-four hours is no guarantee against such stupid orders being issued by other officials unless the Government of India take effective measures to prevent panicky bureaucrats from running amok. The District Magistrate of Wardha issued instructions to the local Telegraph authorities to submit all Press telegrams to him for approval. Such instructions constitute a clear abuse of the provisions of the Indian Telegraph Act which require Telegraph authorities to refer only such messages as they consider objectionable to the District Magistrate for approval.

In April last year a terrible tragedy overtook Bombay as a result of explosions in the docks. The *Bombay Sentinel*, partly as a protest against what it regarded as misuse of censorship and partly for technical reasons, published one of its pages with blank columns with a caption. The Government of Bombay took a needlessly panicky view of this and ordered the suspension of the paper. Some days later, largely as a result of the intervention of the Provincial Press Advisory Committee, the order was cancelled.

The *National Herald* of Lucknow suspended publication in 1942. Last year its proprietors wanted to resume publication, but the Government of Sir Maurice Hallett, for reasons of their own, seem to have made up their mind not to allow this paper to be published. This is a most arbitrary and indefensible exercise of power vested in the Executive under the Defence of India Rules. The *National Herald*, as a member of this Conference is a party to the latter's Agreement with the Government. So long as the paper adheres to that Agreement, Government have no right to continue the ban against it, especially in view of the altered political situation in the country.

In spite of the protest of the Standing Committee of this Conference, the ban on Mr Louis Fischer's articles still continues.

I have no desire to take a gloomy view of the working of the consultative machinery. There is a bright side to the picture. The consultative machinery, wherever it has been given a fair and honest trial as especially in Bombay and Madras, has demonstrated its potentialities for good both to the Press and the Government. As I stated last year, though we have not secured positive gains in the shape of enlargement of our freedom, we have been able to prevent much harm being done

to the Press by bureaucrats many of whom are prone to act arbitrarily and ruthlessly and, not seldom, vindictively....

The newsprint situation, from all accounts, has improved considerably and stocks in increasing quantity are accumulating but, in proportion to this improvement, the action taken by the Government in fixing quotas of newsprint is needlessly halting and niggardly. The need for prudence in this matter is obvious, but it should not be carried further than the necessities of the situation require.

Under our Constitution individual newspapers published in Indian States cannot be admitted as members of this Conference but organisations of editors in Indian States having objects similar to our own can become Associate Members. There has been a demand for a change being made in our Constitution so as to permit individual newspapers in Indian States being admitted as our members. The question presents some obvious difficulties, but I have no doubt the Sub-Committee appointed by the Standing Committee to deal with it will devise some means satisfying the demand of newspapers in Indian States. I need hardly assure those associated with the Press in Indian States that we wish it to be not less free and powerful than we desire the Press in British India to be.

Last year referring to the first object of our Conference, namely, preserving the high traditions and standard of journalism, I ventured to urge that if our traditions and standards were to be preserved at the highest levels, the Press must continually attract to its service men who, in their mental and moral equipment, represented the best that our country produced and that the Press Council could not attract such men to its service unless it made it worth their while to work for it.

I pleaded for a fair deal to be given to the working journalist and for the endorsement of minimum standards of payment and conditions of work, especially in view of the present propitious time when the newspaper industry was financially in a much stronger position than ever before. Nobody realises more keenly than I do that as in other countries, it is only the powerful sanction which working journalists can evolve through an organised trade union of their own that an improvement in their economic status and working conditions according to their desires and needs can be brought about. But editors, to whom journalists working under them look for guidance and protection, cannot shirk their responsibility in this matter. This Conference, at its last session directed the Standing Committee to appoint three members to confer with the proprietorial organisation and formulate proposals for the improvement of the economic conditions of working journalists.

Accordingly, a committee consisting of Mr M. Subramaniam (Convener), Mr J.K. Cowley and Mr B. Shiva Rao was appointed to deal with the question. This Committee circulated a questionnaire among associations of working journalists and formulated proposals of its own on the basis of replies to that questionnaire. These proposals it formally discussed separately with committees appointed by the Indian and Eastern Newspapers Society and the Indian Language Newspapers Association and the discussions resulted in agreed proposals as a compromise. The Standing Committee of this Conference at its meeting held in Lahore in October last endorsed these proposals....

The Standing Committee has come in for a good deal of strong criticism by Journalists' Associations all over the country on the question of minimum salary and the distinction made as regards this minimum between the English and the Indian Language newspapers. In the discussion which the Subramaniam Committee had with the committees of the proprietorial organisations it was urged on behalf of the latter that, if the same minimum basic salary was accepted for both English and Indian language newspaper a great many papers published in the Indian languages would find it very difficult to afford paying the minimum. Let me, on your behalf, assure the

working journalists that the distinction made between the minimum salaries in English and Indian language newspapers is neither of the Editors seeking nor accords with their desire and they would heartily welcome its immediate abolition.

Let me also make it quite clear that the plea of inability to pay of a large number of Indian language newspapers was the sole consideration which weighed with the Standing Committee when it passed its Lahore resolution and nothing was further from the minds of its members than to suggest that the journalists working on the staffs of Indian language newspapers were in any way inferior to those working for English papers. Speaking for myself I have not the slightest doubt that the Indian Language Press in the very near future will become the more flourishing, the more influential and the more dominant member of our journalistic family. I am fully conscious that whatever improvement has been achieved, largely through the efforts of this Conference, in the economic position of the working journalists, is much less than is due to them.

As soon as it is possible, the minimum salary must be increased, a time-scale of increment must be introduced and the just claims of correspondents of newspapers must be satisfied. I hope newspaper proprietors will not only immediately implement the agreed proposals regarding Provident Fund and leave rules but will also deal promptly and generously with the questions of minimum salary, annual increment, scale and payment to correspondents and avoid the odium of refusing to share, in an adequate measure, their present prosperity with men who have hitherto cheerfully contented themselves with very meagre salaries without the hope of a pension or the security of a Provident Fund. They must deal with these questions promptly and generously because the improvement of the standards of journalists in our country and the increasing efficiency of the Press as an instrument of national progress depend largely on whether the working journalists are paid adequately or not. They also depend on how the working journalists discharge their own responsibilities.

A free Press is a mighty engine. Our main occupation will be to make our Press free. But whether we shall use this freedom for good or evil will depend entirely on ourselves. The opportunities of manifold services to the people which a free India will give to the Press will be unprecedented in the history of the Press. We have to be worthy of using these opportunities by ensuring for journalism rising standards of competence, responsibility, integrity, objectivity, disinterestedness and charity.

¹ Syed Abdulla Brelvi (1891–1949) born in Bombay although belonged to Bareilly (UP); joined *Bombay Chronicle* as Assistant Editor in 1915 and was its Editor from 1924 to 1949; was one of the founders of All India Newspaper Editors' Conference in 1943 and became its President in 1945. As Editor of *Bombay Chronicle*, Brelvi was in the forefront of the freedom struggle which the nationalist press waged against the Government.

21. The USA Should Ask Britain to Concede India's Independence

Editorial, *Bombay Sentinel*, 30 January 1945.

It is satisfactory that Mrs Vijaya Lakshmi Pandit's presence in America and her forthright speeches claiming India's overdue freedom have attracted universal attention, to the discomfort of the British Government and its army of hired propagandists in that country.

Although it was stated that Mrs Roosevelt would have nothing whatever to do with Mrs Pandit, it is now announced that the latter had a lunch at the White house with the wife of the President, though it is not known what transpired between them.

In the very nature of things one cannot believe that Mrs Roosevelt can do more for India than her distinguished husband, owing to the opposition of die-hard British Cabinet Ministers and the strong party machine which is backing them up.

Indians will necessarily be gratified at this welcome change of scene in America. We are not sorry that Mrs Pandit has expressed her amazement at the silence of the American President on the British attitude, which has remained reactionary and almost static on India, and is making long dated plans for keeping India under her permanent tutelage.

That is apparent from the numerous plans which have emanated from New Delhi for the future prosperity of India by encouraging her industries. Indians are reluctant to believe that anything good can come out of the existing authorities who have done little or nothing all these generations.

As Mrs Pandit said, Indians certainly looked to the American President to come out with some sort of statement regarding India and she declared that his silence 'is incredible'. It is, but somehow Mr Roosevelt has reconciled himself to that position.

The war for the freedom and independence of the many small European countries has become the war for the freedom and independence of the irresponsible bureaucracy in India which has been filling the prisons with India's most respected leaders for the last few years.

Although there has been a great deal of agitation in the American Press for the last months for the release of Congress leaders, there has been not the slightest change in the political situation in India and the prisons continue to be crowded with Indians who ought to have been the rulers of the country.

At one of the functions in New York Mrs Pandit eloquently pleaded the cause of Indian freedom and demanded that Americans should help to make a peace that will bring peace and freedom to all colonial peoples.

Even with the utmost desire to think kindly and well of the powers, we do not imagine that the freedom of the colonial peoples is one of the items in their post-war plans.

We know that Mr Churchill is determined not to liquidate the British Empire. On the other hand, he is busy adding to it. One need not be surprised if at the end of the war, Britain is enriched by the addition of the Italian and a few more colonies, thus materially increasing the extent of the British Empire.

Mr William J. Schirer, who knows India well, is reported to have said at a New York function that the bondage of 400 million Indians was one of the most 'outrageous facts of our time'.

But the British seem to be proud of it and even glory in it, on the score of their wonderful achievements in India!

Yet, in the year of grace 1943-44 nearly 40 lakhs of Indians died of famine and pestilence in this country, brought on by avoidable circumstances. Such staggering catastrophies will always occur in India so long as she continues to be ruled by an alien nation.

One is inclined to agree with Mr Schirer when he affirms that India is not going to be free after the war, for 'if the British Government really intended to give India freedom after the war the kind would have issued a declaration promising independence at a definite date'.

That has not been done and is not likely to be done and it is no wonder that there are many shrewd Americans who do not put such faith in the promises of the British Government.

One cannot imagine that either Mr Amery or his agents in India are very anxious to implement those promises in the near or even distant future. That is the belief of the large majority of Indians, and the attitude of the rulers has merely strengthened their fears.

We are glad that Mr Schirer considers the Cripps proposals as 'merely a snare and trick'. That is the very reason they were found to be unacceptable to a single political party in India.

We do not believe that even now any political party in India is willing to work the Cripps proposals in spite of all that is being said and done by Moderates.

At another function Mrs Pearl Buck warned the British that India was as much the affair of Americans as that of the British. They were allies and they were pooling all their resources and spending vast sums in defence of the Indian Empire.

That being the case, Americans have a right to tell the British where they are wrong and how they should put themselves in the right side of Indians by conceding their just claims for independence.

No amount of sophistry and special pleading on behalf of British Junkers will convince reasonably minded Americans that the British attitude is justified.

22. Internment of Bihar Leaders¹ Condemned by Swami Sahajanand Saraswati

Amrita Bazar Patrika, 5 February 1945.

Patna, 1 February. Swami Sahajanand Saraswati issued the following statement to the Press:

The action of the Government of Bihar in interning the five foremost Congress leaders of the Province deserves nothing but condemnation at the hands of all liberty-loving people. Certainly it is trying to read too much in the resolution and the speeches of those leaders and other Congressmen which had never entered their minds. After Mahatmaji had declared that it was not the time to start Satyagraha either on behalf of the Congress or himself personally, it is too much on the part of the Bihar Government to interpret the proceedings of the 16th January meeting to mean that Bihar Congressmen meant seriously to prepare for Satyagraha while the war was going on. Therefore, it is the duty of the people to demand the immediate withdrawal of that internment order and set the leaders at full liberty.

¹ The Government of Bihar under the Restriction and Detention Ordinance 1944 issued an order on 23 January 1945 asking the following persons to remain within the limits of their home village on the charge of open preparation for another struggle: Krishna Sinha, ex-Premier Bihar, Anugraha Narayan Sinha, ex-minister, Murli Manohar Prasad, Editor, *Searchlight*, Prajapati Misra, Congress Leader and Abdul Bari, Dy. Speaker, Bihar Legislative Assembly. See Doc. 5.

23. Satyanarayan Sinha's Protest Against Internment of Bihar Leaders

Tribune, 6 February 1945.

Patna, 5 February. Mr Satyanarayan Sinha,¹ MLA (Central), General Secretary of the Bihar Provincial Congress Committee, has issued the following statement to the press:

The entire province is shocked at the surprising order of the Government of Bihar for interning in their village home Messrs Sri Krishna Sinha, Anugraha Narayan Sinha, Pandit Prajapati Misra, Murli Manohar Prasad and Abdul Bari. I have carefully perused the communiqué issued by the Government and I say without any fear of contradiction that the excuse which has been trotted out for justifying their action is absolutely lame. The first charge in the communiqué is that the August resolution was affirmed. But this has been done in several provinces before it was done here and no Provincial Government took any notice of it. The operative part of the resolution, which authorised Gandhiji to start mass struggle on non-violent lines to enforce the demand for independence, has lapsed which Mahatmaji made public more than once in most unequivocal language. Now the said resolution without that clause undertakes to fight Fascism and any aggression on India by the Japanese. It lends co-operation, in the words of Gandhiji, in war efforts under

circumstances which alone can make effective and nationwide co-operation possible. The resolution pleads with the British power to enable India to achieve all these by the transfer of power. Till this is not done, we cannot look upon this as a people's war. Gandhiji has publicly said that 1944 is not 1942. We are not by any action or speech thwarting the war efforts. Of course we are not prepared to offer our co-operation unless power is transferred and the deadlock is resolved. But how can this attitude of ours be looked upon as hostile, unless the strange doctrine is followed: 'Those who are not with us are against us'. The resolution was voted unanimously by the meeting, which consisted of more than 500 Congress workers gathered together from the different districts of the province. It passes my comprehension why these five gentlemen alone have been singled out for victimisation. It is said that they were the members of the Advisory Committee. I am divulging no secret when I say that I was personally not satisfied with the formation of a Committee like this because I wanted a Committee which would deal with, besides constructive programme, the political questions affecting the province if and when the occasion would arise. But this was not done. The Committee was asked to co-opt some 25 or 30 persons which it was going to do in the first week of February purely to carry on constructive programme as chalked out by Gandhiji. It has nothing to do with day-to-day political problems and I give a proof of it. On the 20th January after four days of the constitution of the said Committee, I wanted to consult the members as to how the Independence Day would be celebrated in the province and they made it perfectly clear to me that the Committee of which they were members had no competence to express any opinion regarding political affairs and so I had to issue the instruction in my individual judgment as the General Secretary of the Provincial Congress Committee.

In view of the facts stated above I very much deplore the high-handed action of the Government of Bihar and particularly when responsible men of the country are doing their best to bring about a rapprochement between the Government and the people by resolving the deadlock. It appears to me that the officials, not wanting any settlement, have tried to queer the pitch by precipitating this action in the province of Bihar.

However, I hope and trust the Governor of Bihar will give a second thought to the whole thing and rectify the mistake which has been committed.

In the end, I appeal to all Congressmen of the province who are willing to carry on one or more items of the fifteen-fold constructive programme to the best of their capacities, as chalked out by Gandhiji.—UPI.

¹ Satyanarayan Sinha took active part in the Civil Disobedience and Quit India movements.

24. Revival of Cripps Plan Not a Solution

Editorial on Bertrand Russell's recent press interview to American News Agency.

Editorial, *Bombay Sentinel*, 7 February 1945.

Mr Bertrand Russell,¹ as he prefers to call himself, in his interview with the American news agency has exhibited a lamentable lack of understanding of the Indian political situation.

This is not a new thing. From the very beginning Mr Russell has aligned himself with reactionary forces in Britain, perhaps unconsciously, without realising the great harm he is doing to India.

His remedy for the Indian political malady is to make known to the peoples of India and America the real worth of the Cripps proposals: to publicise their merits from the housetops. If this is not rank childishness, one would like to know what else it is.

These British Liberals seem to be labouring under the misconception that the Congress leaders who are rotting in prison for over 30 months now, have not yet realised the true worth of the Cripps proposals and have kept the Indian masses in deliberate ignorance about them.

The new task before these friends of India presumably is to make known the virtues of the Cripps proposals to the whole world, when Indian masses will at once accept them without any reference to their leaders.

This is either gross stupidity or political dishonesty; there is no other name for it. Mr Russell forgets that the Cripps proposals have been rejected by every political party in India, and that they will not be more acceptable if they are offered again.

Even if the Americans welcome them as an earnest of British intentions, Indians can have nothing whatever to do with them and they will remain neglected and rejected. Nothing can make them acceptable to Indians, and all attempts to revive them are bound to end in failure.

Unless British 'friends of India' give proof of greater political honesty and understanding than they have hitherto shown, Indians will refuse to take their political inspiration from them. As a 'new approach' to the Indian political problem, the Cripps proposals have failed altogether.

Mr Russell's attitude in this matter is no different to that of an average Tory or Liberal and it is a pity and it should be so. If there were greater sincerity of purpose behind his views, there might be a possibility of the proper solution of the problem being found.

Apart from that, we agree that if Britain gives an unequivocal undertaking fixing the date for the declaration of an Independent and free India, either within twelve months or after the war with Japan, Indian leaders would be only too willing to accept it.

But it is a big 'if'. No anxiety has been shown in this regard. All that India has received so far are vague and indefinite promises, as in the past.

Nothing has been done during the last few years to win over the people of India. Instead repression is piled on repression.

The rulers of India, presumably, are labouring under the impression that they have only to fill in all the Congress leaders into prison and intensify repression in every direction and the masses will at once rise in support of the bureaucracy.

That is the foolish illusion of both New Delhi and Whitehall which has been mainly responsible for the existing deadlock and unless there is a radical change in the mentality of the Viceroy and other rulers of India, it will be impossible to solve the political tangle.

It is foolish to imagine that Mahatma Gandhi stands in the way of a just settlement. It is not he who is opposed to a settlement but the New Delhi rulers of India, who fear that once Indian leaders come into power the days of their irresponsible autocracy will immediately end.

All Congress leaders are ready for a settlement, but it must be reasonable and in consonance with the genuine political ambitions and self-respect of the country. The Cripps proposals cannot be classed under this category, and they have, therefore, been rejected by Indians.

When Britain is prepared for an honest understanding with India, she will find Indian leaders also ready for the purpose.

Mr Russell at the same time suggests that Congress leaders should be set free immediately.

This suggestion has been made from all quarters, but the Government has remained adamant. So long as Mr Churchill is at the head of the British Government, it may be taken for granted that Indian leaders will never be freed.

That is Mr Churchill's idea of fighting Nazi-ism and Fascism by imprisoning people who are opposed to autocracy and who insist on their country's full political freedom, before it can fight for the freedom of others.

Mr Bertrand Russell has not understood the Indian situation properly, and it is a question whether he will be able to understand it at all in his present mood.

He will have to think over the situation from the standpoint of Indian masses, their sufferings, their poverty and their ignorance and the urgency to remove the causes.

¹ Bertrand Arthur William Russell (1872–1970) Fellow of Trinity College, Cambridge; wrote *History of Western Philosophical Thought* in 1945, received Nobel Prize in Literature in 1950.

25. Punjab Students Reiterate Demand for Freedom

Press Report on the Punjab Nationalist Students' Conference held at Lahore, 10–11 February 1945.

Tribune, 12 February 1945.

Lahore, 10 February. Scenes reminiscent of the palmy days of the Punjab student's movement were witnessed today when thousands of nationalist students from all over the Punjab met together in Lahore to reiterate their faith in the freedom movement of their motherland and the organisation of students on proper and nationalist lines for their educational, social and moral uplift.

Repression directed against the nationalist students' movement, instead of damping their spirits, appeared to have created greater enthusiasm among the devoted workers of the Nationalist Students Association, Lahore.

Over 350 delegates from all over the province came to participate in the conference which was held in the Gol Bag under a specially erected Pandal named after the Congress President, Maulana Abul Kalam Azad. The entrance to the Pandal was through the 'Allah Baksh Gate' named after the late Premier of Sind.

There was another gate named Bhagat Singh gate. The huge Pandal, which was decorated with mottoes was almost full and about 10,000 students, both boys and girls, besides other visitors, attended the opening session today.

The most striking motto in the Pandal, hanging over the dais, was 'India First' and this represented the basis and spirit of the nationalist students movement. There were other mottoes also, signifying students demands, including the demand for the release of the detained student leaders, of their trial in open Courts and demand for better system of education.

There was some excitement at the conference when Shrimati Satyawati,¹ the well-known Congress Socialist leader of Delhi, appeared at the dais. Smt. Satyawati, who has been reduced almost to a skeleton, came into the pandal in a car which was 'parked' close to the dais. Smt. Satyawati, who had to be helped to come out of the car could go up to the dais only by being supported. She sat there for a while and then gave a message saying: 'You, students, who are the torch-bearers of the freedom movement, you must keep the torch burning and alive. The Punjab youth has a special duty to discharge. If you are determined and united, the most of suspicion and communal bickerings will vanish. Arise! Your Motherland looks to you'.

Smt. Satyawati has been lying in the Sh. Gulab Devi Memorial Tuberculosis Hospital and is going to Delhi soon.

The conference was inaugurated by Rana Jang Bahadur Singh, Senior Assistant Editor of the *Tribune*, who while addressing the students, said: 'Students have been the spearhead of freedom movements all over the world. I ask you to do your duty towards your country and do it nobly and well'.

Referring to the political situation in the country, Rana Jang Bahadur Singh thought that any attempt at appeasing communalism was bound to result in retarding India's progress towards its cherished goal of freedom. He thought that there could be no compromise between unalloyed nationalism and dire communalism, represented by the Congress and the League respectively, so long as the latter continued to pursue its present policy of the division of India. The present political deadlock in his view could not be resolved because neither the Muslim League nor the British Government wanted a solution.

Claiming to be a communist himself, the speaker, however, criticised the policy pursued by the communist in India and in the Punjab and said that the hobnobbing with communalism in which the communists here were indulging was bound to result in more communalism. He asked the students to love their country and do their bit for bringing the day of her liberation nearer.

Maulana Mohamad Yasin, President of the Punjab Provincial Congress Workers Assembly, who then addressed the Conference, appealed to the students to organise themselves on national lines and learn to think in terms of India. That, he said, should be their first love. The Maulana warned the students against their being used by any party for its political ends. Students, he thought, during the period of their study must first equip themselves for the struggle of life ahead.

Maulana Mohamad Yasin further stated that the suspicion of the Punjab Government regarding the present organisations of Congress were wrongly based and ill-placed.

Maulana Zia-ul-Hussain, a member of the All-India Muslim Majlis, advised the young students to be united. He said that he had no hesitation in saying that, if India's freedom could be achieved by Gandhiji arriving at any settlement with Mr Jinnah, the nationalist Muslims would not grudge it, for they wanted freedom for their country. He said: "But those who support the demand for release of politicals here in this province should go and make a similar demand in Bengal, Sind and North-West Frontier Provinces also".

Professor M.S. Bhatti, of the Forman Christian College, made a passionate appeal to the students to learn to be upright, simple and studious and, above all, love their countrymen as their brothers. 'The poor deserve their attention and they must serve them to their utmost'....

Professor M.G. Ranga who was to preside over the conference was able to arrive only on 11 February. In course of his presidential address he observed: 'Congress under the leadership of Mahatma Gandhi has come to represent the greatest revolutionary movement of the world and it stands not only for the freedom of India but the freedom of all colonial peoples. Let us follow in the footsteps of Mahatma Gandhi, who undoubtedly is the greatest man of our times'.

The conference adopted a number of resolutions expressing their faith in Gandhiji's leadership, reiterating support to the demand in the August resolution, resolving to organise nationalist students, asking for a cheaper and better form of education, imparting of education through the medium of Hindustani, making available to the students facilities of getting books and copies and ensuring accommodation in hostels.

By another resolution the repressive policy of the Punjab government was condemned.

¹ Satyawati Devi (1906–1945)—born in Jullundur Punjab, grand-daughter of Swami Shraddhananda, famous freedom fighter and Arya Samaj leader; a Congress Socialist leader with a Marxist leaning, she was the first woman to organise a labour strike (in Birla Mills, Delhi); arrested during the Quit India movement and released from detention in Lahore Jail in 1945 on account of illness.

26. Protest Against Purushottam Das Tandon's Arrest¹

The meeting organised by Allahabad City Congress Representative Assembly on 15 February 1945 passed a resolution condemning the arrest and asking the Congress workers to gird up their loins to take up constructive programme with redoubled energy.

Leader, 16 February 1945.

Allahabad, 15 February. 'The arrest of Babu Purushottam Das Tandon means that the Government does not want that the constructive programme of the Congress should make any headway.' Such was the burden of the speeches (on Tandonji's arrest) delivered at the meeting of the Allahabad City Congress Representative Assembly held at the Assembly's office here this evening.

Pandit Vishwambhar Nath Pande, who presided over the meeting said that when Tandonji came out of jail, he found the whole Congress organisation in the province disorganised; and in spite of his illness he devoted his energy to organising and consolidating the Congress rank and file. It was he who brought into being the Provincial Congress Representative Assembly with its branches in districts and cities. His main purpose was to push the constructive programme on Gandhian lines.

Tandonji's arrest meant, Mr Pande asserted, that the Government did not want that the constructive programme for the relief of the distress of the people should make any headway in the province. No other meaning could be put on Tandonji's arrest. But the president said they must not be disheartened by his arrest and the only answer to this challenge is that we must continue the work of constructive programme that Tandonji has left undone, with redoubled energy. Dr Kailash Nath Katju next moved the following resolution:

This meeting of the City Congress Representative Assembly feels deeply concerned at the sudden, unexpected and unjustifiable arrest of Shri Purushottam Das Tandon, the president of the UP Provincial Congress Representative Assembly at Kasia in the Gorakhpur district on Feb. 11. Ever since his release Mr Tandon had devoted himself to the work of the organisation of the Congress Representative Assembly in this province so that the constructive programme of the Congress may be pursued with the utmost diligence. The committee feels that at the present juncture when Tandonji's guidance was so necessary, his arrest is an arbitrary exercise of despotic power and is an insult to the whole province.

This Committee feels confident that worker and people all over the province, instead of feeling disheartened at his arrest, will gird up their loins and take to the organisation and fulfillment of the constructive programme all over the province with redoubled energy.

Dr Kailash Nath Katju, moving the resolution, criticised the act on part of the Government in arresting Mr Tandon and characterised it as 'purely despotic'. He felt that the Government could give no excuse for this act of theirs as Mr Tandon had definitely avoided coming in any open conflict with the Government. His activities were limited solely to constructive work in the province as laid down by Mahatma Gandhi.

Seconding the resolution Mrs Purnima Banerji remarked that as Tandonji's arrest had followed the internment orders of the Government of Bihar against the Bihar Congress leaders, it appeared that the Government policy was uniform and they did not want that the constructive programme work should progress with any result.

The resolution was passed after it had been supported by Mr Parmananda Sinha.

¹ Purushottam Das Tandon, Speaker of the UP Legislative Assembly and President of the Representative Assembly of UP Congressmen, who had gone to preside over the third session of Gorakhpur District Hindi Sahitya Sammelan and had also attended a meeting of Congressmen of that district on 10 February, was arrested at Kasia, 24 miles from

Gorakhpur under Section 129 of DIR along with D.N. Mani Tripathi, Headmaster of the Buddha High School, Kasia and Secretary of the reception committee of Hindi Sahitya Sammelan.

27. India—The Acid Test of Allies' Professions

Editorial, *Tribune*, 16 February 1945.

Mrs Vijayalakshmi Pandit was not guilty of the slightest exaggeration when she said in the course of a speech at Boston on Tuesday (13 February) that India would be the acid test of all that had been said regarding the moral issues of this war. This is not the first time that an Indian leader in the position of Mrs Pandit has described India as the acid test of the sincerity of the United Nations professions regarding the moral issues of the war. But the description is particularly apposite at the present moment when the United Nations, as represented by the Big Three who recently met at Yalta in the Crimea,¹ have entirely and perhaps deliberately ignored India in their declaration on post-war policy. It is no use reminding us that their immediate concern was to decide the fate of Germany after she had been finally vanquished and of the countries forcibly deprived by her of their liberty and independence. That this was so is exactly our complaint with regard to them. After all their real business, as they themselves declared, was to create a new world in which there would be no chance of a repetition of atrocities like those of Nazi Germany. And did it require extraordinary perspicacity to see that it was impossible to create such a world merely by punishing Nazi Germany and restoring the freedom and independence of the countries overrun by her.

The Big Three begin their declaration by defining principles of the Atlantic Charter as follows: 'The right of all peoples to choose the form of government under which they will live, the restoration of sovereign rights and self-Government of those peoples who have been forcibly deprived of them by aggressor nations and fostering conditions in which liberated peoples may exercise those rights'. They then proceed to affirm their faith in the principles of the Atlantic Charter and their pledge of a world order dedicated to peace, security, freedom and the general well-being of *all mankind*. And they conclude by declaring that their meeting in the Crimea has re-affirmed 'their common determination to maintain and strengthen in the peace to come that unity of purpose which has made victory possible and certain for the United Nations in this war', that 'they believe that this is a sacred obligation which their Governments owe to their peoples and to the peoples of the world, and that only with continuing and growing cooperation and understanding among all the peace-loving nations can the highest aspiration of *humanity* be realised—a secure and lasting peace which will in the words of Atlantic Charter afford an assurance that *all men in all lands* may live out their lives in freedom from fear and want'.

If this was, indeed, the object that two of the Big Three had in view in the drawing up of the Atlantic Charter, and if this is the object that all three have in view in the present declaration itself, can anything be more fatuous than to believe or assert that the mere punishment of Nazi Germany, rendering it impossible for her ever again to disturb the peace of the world and to perpetrate the atrocities that have won for her the detestation of all decent men and women in every land, or the mere restoration of peace, security, freedom and self-government to the countries deprived by Nazi Germany of these priceless blessings, will attain this object? Europe, after all, is not the whole world, and Germany is not the only country that has deprived other countries, nor are her victims in the present war the only countries that have been deprived of their liberty and self-government. The circumstances leading to or attending the deprivation may vary, but the deprivation itself and its actual and potential effects, whether material or moral, are substantially the same in all cases. And the population of one of these countries—India—substantially exceeds those of the Axis countries, their satellites and all the liberated countries of Europe put together. Does any one

believe for a moment that 'all men in all lands may live out their lives in freedom from fear and want', or that 'the peace, security, freedom and the general well-being of all mankind can be secured', or that 'all peoples' may exercise their God-given and indefeasible 'right to choose the form of government under which they will live' as long as the people of India constituting no less than one-fifth of the entire human race, are held in subjection? If this question must and can only be answered in the negative, is this not perfectly obvious that neither the Atlantic Charter nor the declaration of policy just made by the Big Three, endorsing the principles of that Charter is, for the purpose of the fulfillment of the objects which they themselves professedly have in view, not worth the paper on which it is written? As Mrs Pandit said aptly and frankly, it is the freedom of India that the ultimate hope of a settlement of the world problem lies. India unreconciled and politically in chains reduces all talk of making the world safe for freedom and democracy to a transparent mockery.

¹ President Roosevelt of United States of America, British Prime Minister Winston Churchill and Marshal Joesph Stalin of USSR met at Yalta in the Crimea from 4 to 11 February 1945, to finalise plans for the defeat and occupation of Germany.

28. Gandhi's Protest Against Recent Arrests of Congress Workers, 17 February 1945

Statement to the Press, 17 February 1945.

CWMG, Vol. 79, p. 129.

I have delayed giving my opinion on the Bihar Government's challenge to Congress workers in the hope that the storm was an isolated mistake and that it will correct itself. I find I was mistaken. On top of the happenings in Bihar comes news that Shri Purushottam Das Tandon has been re-arrested. The workers in Bihar are well known, and of them one is an ex-Prime Minister and another is ex-Finance Minister. Tandonji is the Speaker of the UP Assembly. Now comes news that Shri Gopabandhu Chodhury of Orissa, equally well known too, has been rearrested.

This is one picture. The other is, the Viceroy holds talks with Sjt Bhulabhai Desai. The air is thick with rumours of big changes. The rumour hardly squares with the news I have summarized and which the public knows already.

Congressmen in Bihar were busy devising concerted measures to give effect to the fifteen-point constructive programme sketched by me and in a manner suggested by me when the principal men were arrested though the programme has no political flavour, using the term politics in its understood sense. I have not hesitated to say that the universal adoption in practice in India of the programme must lead to the attainment of complete independence without either civil non-violent disobedience or even a parliamentary programme. There would then be no necessity for either. The British would not find it worthwhile to stay in India to rule. They would stay, if they do, as full citizens. In the language of 1942, as rulers they would quit India; for their soldiers would be without occupation, their huge industries without use. That day may not come, but it should be the non-violent soldier's dream which he must try daily to realise and if in its pursuit he is thwarted, he has his own non-violent resistance to fall back upon, otherwise called civil disobedience and non-cooperation. Mass civil disobedience is nobody's responsibility except, as yet, mine. It was not offered in 1942. Nobody who has not permeated the masses can shoulder it. Indeed, the masses simply will not move. That is my conviction based on the experience I have gained.

Hitherto the action in Bihar is defended on the ground of an alleged speech by Shri Prajapati Mishra. The text of that speech has been suppressed.

There is no question of his or any Congressman making exciting speeches in the prosecution of the constructive programme or about non-violent resistance or much less about resorting to violence or even approving of it. That there is no plan under the present conditions to offer any form of mass civil disobedience has been clearly stated by me and I know that Congressmen all over the country are acting on the advice I have offered. But abstention even from referring to the theoretical possibility of resistance and the like cannot be forced or even made a condition of prosecuting the constructive programme. It has undoubtedly independence—political, social and economic—as its aim. It is a moral, non-violent revolution in all the departments of life of a big nation, at the end of which caste and untouchability and such other superstitions must vanish, differences between Hindu and Muslim must become things of the past, enmity against Englishmen or Europeans must be wholly forgotten and princes and capitalists must live as perfect friends with the whole mass of India as the real and legal trustees of the people for all the wealth they may possess. Is there anything wrong in the attempt? What are Government protestations about Indian independence if they will not tolerate the movement I have sketched except on conditions impossible of acceptance? Are they not satisfied with the extraordinary power they possess? Must they keep without trial the best known as well as the least known Indians in their custody, least the latter should preach independence from one end of the country to the other and non-violent acts in pursuit thereof? Must they rearrest released persons the moment they speak and act as free men, if their speech or act does not please the authorities?

Another painful experience I am undergoing which I must share with the public is the number of reports of assault and torture resorted to for purposes of extorting confessions from prisoners. Some cases are already before the public, such as the notable one at Kolhapur. Many other instances of comparatively recent occurrence have been brought to my notice. One particular case I have in mind related to a young lad who, on my advice, gave himself up to the police because he had been wanted. If some of the reports that one hears are not well-founded, I am satisfied several others are perfectly genuine. Is it not time this practice of torture and ill-treatment of people held in captivity is firmly discountenanced and put an end to by the powers that be?

In August 1942, instead of needlessly precipitating a quarrel with the people, if the authorities had listened to the pleading of the Congress, India would have enjoyed independence and the war would have already ended with honour for the Allies and happiness for the suppressed peoples of the earth. That is my retrospection. If things go on as they are going in India, the victory that the Allies will have will be only so called, because they will also have India and other nations in the same plight, bleeding at their feet. Such a victory can only lead in the near future to a bloodier war if possible than the one that will have closed. For, as I have said elsewhere, victory won at the expense of India will mean that, out of the ashes of Fascism, Nazism and Japanese militarism will have risen a new monster that will seek to eat all it sees and in the attempt will be eaten up, leaving I know not what.

It has given no pleasure to pen this statement. There is much more I can say but I shall say no more for the present.



29. Constructive Programme to Hasten Achievement of Swaraj: Executive Committee of UP Congress Representative Assembly

Resolution adopted by the Executive Committee of the Provincial Congress Representative Assembly.

Leader, 18 February 1945.

Allahabad, 17 February. 'Evidently the authorities in the Gorakhpur district are not prepared to permit the exercise of the perfectly legal right of putting up Congress flag or of carrying on even of humanitarian work by Congress workers. This Committee calls upon the public, and particularly, upon Congressmen, not to allow attention to be diverted from the great task which lies ahead but to take up constructive work with redoubled energy in the confidence that it is a noble instrument for ameliorating the moral and material condition of the people and hastening the achievement of Swaraj'. Thus concludes the resolution passed today by the executive committee of the Provincial Congress Representative Assembly UP, on the arrest of its president, the Hon. Babu Purushottam Das Tandon, and others and conditions in the Gorakhpur district.

The meeting was held at the office of the Assembly in Johnstonganj here, this afternoon. In the absence of Tandonji Babu Sampurananand Presided. Other members of the committee present were Dr Jawahar Lal, Dr Kailash Nath Katju, Messrs. Piare Lal Agarwal, Satyadeo Shastri and Muzaffar Husain. Messrs. Manzar Ali Sokhta and Dharendra Muzumdar and Swami Satyanand were present by special invitation.

It was also brought to the notice of the committee that a number of political prisoners had been on hunger strike in the Bareilly District Jail and that the condition of some of them was getting serious. The committee hoped that immediate steps would be taken by the authorities to remove the cause leading to hunger strike which, it recorded, was causing general anxiety.

The committee devoted good deal of its time today to the consideration of steps for the promotion of the work of the constructive programme on the latest Gandhian lines. On the suggestion of Mr Manzar Ali Sokhta, who has been put in charge of the constructive programme scheme, the executive committee resolved that the central office of the Constructive Programme Committee should be located at Seva Kunj Ashram, Gaughat, Unao, which should also be the centre of the constructive programme activity, and of the training of workers on the Sevagram Ashram lines. The city and district Congress representative assemblies will be asked to send names of persons who desired to receive training.

A fund of one lakh of rupees would be needed in connection with the constructive programme scheme and the executive committee resolved to ask the district Congress representative assemblies to collect Rs 1,000 each and city Congress representative assemblies Rs 2,000 each, except Cawnpore assembly, whose quota would be Rs 5,000. These will be the first instalments and assemblies are required to send their first instalments to Mr Piare Lal Agarwal, Treasurer, Provincial Congress Representative Assembly, Cawnpore.

The executive committee further decided to hold a constructive programme conference, to be attended by the members of the Provincial Congress Representative Assembly and two representatives from each of the city, town and district Congress Representative Assemblies, at Benares, on 17 March. The general meeting of the Provincial Assembly will be held at the same place on 18 March.

Mr Muzaffar Husain, Secretary, was entrusted with the task of inviting suggestions through press and otherwise and from the local Congress assemblies, as to the scheme of work for the betterment of the condition of the Kisans, and to compile a report for submission to the Assembly.

30. 'Freedom Must Come'

Comment on Mahomed Zafrullah Khan's Statement in London.¹

Editorial, *Bombay Sentinel*, 21 February 1945.

Sir Mahomed Zafrullah Khan did well in warning the British Government that India is determined to be free within the Commonwealth, if they will let her, but without the Commonwealth if she has no alternative.

Such a warning coming from an eminent Judge of the Federal Court who is high in favour with the Government, must make the British Government to think seriously.

It is a question, however, whether Mr Amery and Mr Churchill will be inclined even now to change their old policy towards India. The recent triumphs of the Allies in most fields of war have made them even more truculent and unreasonable in their attitude towards the Indian question. It is stated that the forthright demand of the leader of the Indian Delegation made a deep impression on the Commonwealth Relations Conference.

This is the first time that India's demand for freedom has been so impressively voiced at such conferences, for the impression has gone abroad that Hindus and Muslims are perpetually at war with each other; that they would rather forfeit their independence for an opportunity to carry on their bitter quarrels among themselves almost for ever.

Sir Mahomed compared the position of China with that of India. Both countries are asked to fight and defend the freedom of other nations, while their own freedom is in the balance.

We do not know why Sir Mahomed was so apologetic about the part played by India in this war. She has sacrificed more men and suffered more than any other country in the British Commonwealth, including Britain.

She also has sacrificed vast sums, compared to her wealth, in the cause of the Allies, and it is only natural that she does not want to be left out in the cold after the war, as apparently it is the intention of her rulers to do, in spite of their proffered promises.

It cannot be too often repeated that if the British Government wishes it may help India, or hinder her progress, but it can never stop her from ultimately achieving her goal of freedom, which she is determined to reach.

Indians have undoubtedly become impatient at the long wait and at the discouraging outlook. The speeches of British Ministers and their cold and calculating attitude have not been very helpful and give an indication of the shape of things to come.

The Commonwealth Relations Conference is almost a private conference, and it has no voice in Government policy. But whether the Conference has any influence with the Government or not, Sir Mahomed's demand will have to be given a respectful hearing. It cannot be neglected any longer. The Mahatma in his studiously moderate statement says much the same thing, but with added emphasis. It was the Government which was anxious to pick a quarrel with the Congress and not the Congress, as the official propagandists have been telling the world. If instead of precipitating a crisis in 1942, the Government had but listened to the pleadings of the Congress, as the Mahatma says, the war might have been ended long ago and India would have enjoyed independence.

But apparently, the British Government is more anxious to keep India under its perpetual tutelage than make her free and win the war with the willing cooperation of Indians.

Whether might have been done in the past, however, the British Government has a splendid opportunity before it to grant the demand of India to be free from foreign domination immediately.

Very few Indians believe, although the Allies are heading for definite victory in all the spheres of war, that so long as they refuse to be sincere in their designs, or contribute substantially to the

sum-total of human happiness by making the unfree and oppressed peoples free, there will be unrest in India as in the whole world.

The political atmosphere in India is hardly favourable to her demand for freedom immediately. In most Provinces autocratic Governors are carrying on the government with the help of repressive laws.

Liberty of the subject no longer exists as such. In its place we have the Defence of India Regulations, which were brought into being to help the war, which are now being openly used for the suppression of freedom.

Whether Sir Mahomed's appeal is heard in London or not, the Indian question cannot be left alone and will have to be decided without further delay, for time presses.

¹ See Chapter 'Propaganda Campaign for Freedom' in the United Kingdom for the statement of Md Zafrullah Khan.

31. Gandhi's 14-Point Programme for Students¹

The Constructive Programme drawn up by Narayan Agarwal under the advice of Gandhi for the students, 25 February 1945.

GOI, Home Dept, Poll (I) Branch, File. No. 97/45-Poll (I) 1945, NAI.

Wardha, 25 February. In consultation with and with the approval of Mahatma Gandhi, Mr S.N. Agarwal, Principal of the Sekserayya Commerce College, has drawn up the following 14-point constructive programme for students:

1. Although students should zealously work for the achievement of India's independence by peaceful and legitimate means, they should keep themselves aloof from party politics. They should study national problems scientifically and cultivate fearless, independent and constructive thinking.
2. They should not dissipate their energies in mutual squabbles in connection with various student organisations but should present a united front.
3. They should take physical exercise regularly and build up healthy bodies. Tea, smoking and cinemas should be avoided. The daily diet should be balanced and nourishing.
4. They should become habitual wearers of khadi and spin regularly. They should use, as far as possible, only products of village industries and go never beyond Swadeshi goods.
5. They should learn the national language, Hindustani, as written in both scripts, with the ultimate aim of fusing Hindi and Urdu into one, though the scripts may remain different.
6. They should start study circles for deep and intensive studies of the various social, economic, educational and political problems facing the country and the world.
7. They should establish village service leagues in their schools and college and, after a preliminary social and economic survey of neighbouring villages, render concrete service to villagers by starting infant and adult education (not merely literacy) classes and bhajan mandals, giving medical relief and planning sanitation work. Such work should be intensified during vacations. In every case it should be sustained by carefully thought out parties or groups during regulated periods.
8. They should collect funds for the relief of families of political prisoners. They should themselves contribute to such funds by regularly saving at least an anna a day.
9. They should work for better Hindu-Muslim understanding and co-operation by being free from communal venom themselves.

10. They should try to remove untouchability by employing Harijan servants at least in hostels. They should also regularly visit Harijan colonies and establish living contacts with them.
11. They should cultivate love for their mother tongue and agitate for the early introduction of mother tongue as the medium of instruction in schools and colleges. They should exclusively use their mother tongue for speaking among and writing to persons knowing it and Hindustani in communication with persons of other provinces.
12. They should try to remove various social evils like early marriage, *Purdah* and the dowry system by themselves setting examples in such matters.
13. They should carefully study books like the Ramayana, the Gita, the Koran, the Bible, the Guru Granth Sahib or the Zend Avesta and cultivate religious tolerance.
14. Above all, they should build up their own moral character and be scrupulously clean in their behaviour towards members of the other sex.—UPI.

¹ This 14-point Constructive Programme for Students is different from Gandhi's 14-point Constructive Programme chalked out for Congress Workers.

32. Constructive Programme No Cloak for Another Mass Civil Disobedience Movement

The Five Interned Bihar leaders issued a statement on 28 February 1945 in reply to Governments' communiqué to clarify their stand. The Provincial Government of Bihar issued a communiqué on 13 March announcing their decision to cancel the internment order and publish the correspondence that passed between the interned leaders.¹

Pioneer, 2 March 1945.

Patna, 1 March. The five Congress leaders of the province who formed the committee appointed to carry on the constructive programme in the province and on whom the restraint orders were passed by the Bihar Government (on 23 January 1945) have clarified their position by declaring that they never intended to make the constructive programme a cloak and cover for starting a mass civil disobedience movement.

All the five members of the committee consisting of Mr Shri Krishna Sinha, Mr Anugraha Narayan Sinha, Mr Murli Manohar Prasad, Pandit Prajapati Misra and Prof. Abdul Bari, met on Tuesday (27 February 1945) in pursuance of the Government communiqué to clarify their position and issued the following statement:

'From the communiqué issued by Government on 23 January, it appears that the reason that moved Government to issue the order of internment on us was the fear that in attempting to carry out the constructive programme of Mahatma Gandhi our real intention was to make preparations for starting the mass civil disobedience even during the period of war. We think Government proceeded under misapprehension. We have no hesitation in declaring our full faith and confidence in the 14-fold constructive programme of Mahatma Gandhi which if fully and properly worked is bound to lead India to full independence without either civil non-violent disobedience or even a parliamentary programme. But we would at the same time emphatically assert that we never intended to make the constructive programme a cloak and cover for making preparations for starting mass civil disobedience which is Mahatma Gandhi's sole responsibility and the possibility of which he himself in his numerous statements has ruled out in the present circumstances.

The text of the resolution passed at the conference on 18 January will also show that its definite purpose was to promote constructive programme and that it was never intended to make preparations for starting mass civil disobedience. Government's inference that we were contemplating mass civil disobedience was based on the reported speech on Pandit Prajapati Misra at the Constructive Workers' Conference. It will, however, be clear from the letter which Pandit Prajapati Misra addressed to us and which we have issued along with this statement for publication that he had never had any such intention'.

The following is the full text of the letter of Pandit Prajapati Misra to the members of the Committee:

Dear Friends—I think I have made it unequivocally clear in my letter to the Chief Secretary that I had neither any authority nor any intention to make or help to make any preparation for mass civil disobedience or to indulge in any activities that may threaten to interfere with the prosecution of the war. At the conference itself, I tried to explain the constructive programme and as to how its universal adoption in practice in India would lead inevitably to the achievement of independence. There was no question of asking the people for mass civil disobedience.

It has, however, been pointed out to me that one of the sentences, that is, that the August movement of 1942 was not the short and swift one that Gandhiji had contemplated, was capable of bearing the idea of preparation for a short and swift movement to subvert Government. I think it is the summary reporting of my speech that is largely responsible for any such impression. If there be any such impression abroad, I do assert that I did not intend to convey any such impression. It may also be that here and there the language did not serve me well. If it created an impression that I was advocating a preparation for mass civil disobedience nothing could be further from my idea. There was no such intention and there is none now.

Mass civil disobedience has always been Gandhiji's responsibility alone. In his recent statement he has made it clear once more that it is nobody's responsibility excepting his and he has also declared that there is no plan to offer any form of mass civil disobedience. In the circumstances no one has or could have any right to arrogate to himself the authority that he does not possess or a responsibility that is not his. It would have been and it would be sheer hardihood on my part to arrogate such authority or assume such responsibility. You may use this letter in any way you like. Yours sincerely, Prajapati Misra.—API.

¹ This was followed by an interview Anugraha Narayan Sinha had with R.E. Russel, Adviser to the Governor and Chief Secretary on Monday 12 March 1945 at which Sinha clarified certain points raised by the Government. On 13 March the Government addressed a letter to the five leaders accepting the above declaration dated 28 February made by them. However the Government underlined that 'they expect that the committee, if formed, will issue public instructions to the Congress workers which will make it clear what they can do and what they cannot do'. The Government further added that they 'consider it desirable both from the point of view of Government and of the Committee that the Committee should from time to time furnish them with lists of all authorised workers engaged in the programme'. The Government revoked the internment order thereafter.

33. The British Must 'Quit India'

Comment on Penderel Moon's book, *Future of India* (Pilot Press, Russel Street, London, 1945).

Editorial, *Bombay Sentinel*, 1 March 1945.

There is very little new or novel in what Mr Penderel Moon writes about India in his *Future of India* but he does render a great service to India by retelling it to his countrymen, who even now seem to be as ignorant about India as perhaps 50 years ago.

Not that Britishers would have exerted more beneficent and wiser influence on their servants in India. The ruling classes in whose hands all the real power is concentrated are content with the present state of things and are not disposed to change them.

Mr Moon is one of those Indian Civilians who resigned his post out of sheer disgust after the passing of the 'Quit India' resolution and the naked repression which followed in its wake, costing India thousands of lives though the Government has refused to give correct information on this point.

The author is so very anxious that in the author's opinion the British should 'Quit India' immediately; that their departure must not be put off indefinitely. Their continued presence is as bad for them as for Indians, and the time has come for the two to part company.

Mr Moon spent the best years of his service in the Punjab, one of the most backward of Provinces, where Civilian rule continues to be strong and almost primitive. Not even a popular Ministry has improved matters and the ICS and the police between them manage to keep the Punjab in perpetual political subservience.

It is impossible that after ruling over the country all these generations, the British will ever agree to remain in India as its servants as Gandhiji suggests. The author pleads that British influence must be exerted in an indirect manner.

'This may or may not be liquidation of the Empire', writes Mr Moon, 'but it is the way in which the British are most likely to contribute to the well-being and happiness of India.' One wonders whether many Britishers will accept the suggestion and act up to it.

Indians feel that a world war of the magnitude of the present one, has only whetted the appetite of the European countries for more colonies and larger empires. They are all anxious to retain their old colonies in their primitive condition, without doing anything for them.

Even General de Gaulle, who is unable to defend his own country like Belgium and Holland, is anxious for the restoration of Indo-China and no doubt he expects the employment of Indians for that purpose.

The record of the French in Indo-China, or that of the Portuguese in Macao, is as dismal as it could be, and the less we hear of it the better.

The other Colonial Powers have done no better for their peoples, though they may have done much for themselves. It would be a sin, therefore, to restore these lost colonies to their former proprietors, though we do not suppose the Allies have any other suggestion than that.

England herself is in no mood to give up her claims to the Far Eastern Empire or to India, and much the same may be said about France and the Netherlands.

We are here concerned with India and its immediate future. 'India like the whole of Asia is on the march. We in Britain,' he adds, 'can help her or hinder her, but we cannot stop her.'

But that is certainly what British *Techinoviks* (autocrats) are hoping to do by their repressive laws which help to fill the country's prisons with thousands of patriotic Indians.

The pity of it is that Britishers actually think that they can prevent India from reaching her goal, which is next to impossible. The most important task before the country is freedom, and Indians will reach an amicable settlement among themselves, provided the rulers leave the ruled to themselves.

If they ever agreed to do so then the whole game would be up.

As for Mr Moon's plan for the future constitution of India there may be strong differences of opinion, but they are capable of compromise.

The question of the Indian States is formidable. It is impossible that while British India marches to her goal of freedom the people in the States can remain under autocracy, subject to the control of the political agents.

Hindu-Muslim differences are certainly capable of solution, but not as long as the British remain in India, that is why the Congress insists that the British must 'Quit India'.

Most other political parties in India agree with that demand though they have not the courage to pass such a straightforward resolution.

One need not bother about the other suggestions for improvement of either cottage industries, or agriculture, or for giving the needed impulse to many Indian industries which require special State aid. All those improvements must come by themselves, when Swaraj is achieved.

34. 'The Whole of India is a Vast Prison'

Gandhi's Foreword to the book, *Gandhiji's Correspondence with the Government, 1942-44*.

CWMG, Vol. 79, p. 216.

I have read the introduction as also the originals. The introduction may be good enough for the hasty reader, but the publication is not designed for the hasty reader. It is designed for the serious worker who can affect the politics of his country and even the world affairs. To such my advice is that he must read the originals. The introduction may be used as such and as an aid to memory. I want the readers I have in view to take me at my word. I have written as I felt at the moment as a seeker of long standing of Truth and Non-violence. I have written without reservation and without embellishment.

After my accidentally premature discharge from detention¹ and convalescence I studied from reliable witnesses the happenings of the two years after the incarceration of principal Congressmen and myself. I have heard nothing to modify the opinion expressed in my writings under review.

I know first hand what had happened, since my discharge, in the various spheres of life. And I have found bitter confirmation of what I have said in the following pages. Indeed, the whole of India is a vast prison. The Viceroy is the irresponsible superintendent of the prison with numerous jailers and warders under him. The four hundred millions of India are not the only prisoners. There are others similarly situated in the other parts of the earth under other superintendents.

A jailer is as much a prisoner as his prisoner. There is no doubt a difference. From my point of view he is worse. If there is a Day of Judgment, i.e., if there is a Judge whom we do not see but who nevertheless is much more truly than we exist for a brief moment, the judgment will go hard against the Jailer and in favour of the prisoners.

India is the only place on earth which knowingly has chosen Truth and non-violence as the only means for her deliverance. But deliverance to be obtained through these means must be deliverance for the whole world including the jailers otherwise described by me as tyrants and imperialists. I need not mention Fascists or Nazis or Japanese. They seem to be as good as gone.

The war will end this year or the next. It will bring victory to the Allies. The pity of it is that it will be only so called if it is attained with India and the like lying prostrate to a deadlier war, if anything could be more deadly.

I know that I do need to plead for non-violent India. If India has the coin with Truth on one face and non-violence on the other, the coin has its own inestimable value which will speak for itself. Truth and non-violence must express humility at every step. They do not disdain real aid from any quarter, much less from those in whose name and for whom exploitation is practiced. If the British and the Allies aid, so much the better. Deliverance will then come sooner. If they do not, deliverance is still certain. Only the agony of the victim will be greater, the time longer. But

what are agony and time if they are spent in favour of liberty, especially when it is to be brought about through Truth and Non-violence!

M.K. Gandhi

Sevagram, 7 March 1945.

¹ On 6 May 1944.

35. Congress Cut Motion in the Central Legislative Assembly: Speech by Abdul Qaiyum, 9 March 1945

Abdul Qaiyum¹ (North-West Frontier Province: General) moved the cut motion for refusal of supplies and no-confidence in the government.

Legislative Assembly Debates, New Delhi, 1945, Vol. II, 9 March 1945, p. 1254.

Mr Abdul Qaiyum (North-West Frontier Province: General): Mr President, Sir, I beg to move:

‘That the demand under the head ‘Executive Committee’ be reduced to Rupee 1’

Sir, this is a direct censure motion against the Government of India as at present constituted. In the brief time of twenty minutes, which is at my disposal, it is very difficult to cover even the important points dealing with the many acts of omission and commission of the Government of India. I shall therefore try to content myself with giving the main heads of the various charges which I hope will be absolutely self-explanatory.

The first charge which I wish to make against the Government of India is that the present Government of India in spite of the promises made to the people of India and to the people in other countries still remains irresponsible and irremovable. Sir, this is not only a vote of censure against the present Government of India because after all they are the agents of His Majesty’s Government in Great Britain. It is something more. This is in a way a moral vote of censure against His Majesty’s Government because it is they who have constituted and set up a thoroughly unpopular Government in this country. It is His Majesty’s Government, which has never been tired of explaining to the world that they are fighting this war in order that democracy should be vindicated, that free Governments should be set up in different countries in the world, and yet we find that in India, where about 1/5th of the human race lives, they have set up a thoroughly undemocratic Government almost on the Nazi pattern.

Mr Sri Prakasa (Allahabad and Jhansi Division, Non-Muhammadan Rural): It would be an insult to the Nazis to compare their Government with this.

Mr Abdul Qaiyum: If you look at their record, you will see that it is thoroughly undemocratic. Sir, when I gave the analogy of the Nazi pattern I was not very far wrong. The Nazi regime in our estimation and in our view is associated with concentration camps; when we think of the Nazi regime, we think of the concentration camps where thousands of people are arrested at the dead of night and detained for years on end without even a trial. And what do we find in this country? The fair face of India has been blackened and disfigured by the numerous concentration camps which have been set up by this Government where the very best of our countrymen have been detained without any trial, without any charge having been brought against them, and Heaven knows how long their detention is going to last. Sir, this is a Government which professes to fight for freedom, for four freedoms—freedom of speech, freedom of religion, freedom from fear and freedom from want—and yet we see the type of regime, the reign of terror which they have set up in this country. They are absolutely unresponsive to the popular sentiment in this country; they are actuated by the feelings of mistrust of the Indian people.

Now, Sir, let us look at the Defence expenditure. The estimated expenditure for the year 1945–46 has mounted up to something like 412 crores. It is far beyond the capacity of a poor country like India to pay or to withstand. I have said that the present Government of India works in a spirit of mistrust of the Indian nationals. I can give an instance, and a very direct instance to the point. Here are two-and-a-half million men recruited in this country ostensibly to defend India, but at present to conquer other countries so that British Imperialism and British trade might prosper and might thrive as a result of our sweat, our money and our blood. Now, Sir, what happens? Thousands of our soldiers have been taken out from this country to different theatres of war to fight in Italy, in France, in Africa, in so many distant countries, at a time when the Eastern Frontier of India was threatened by the Japanese. Why were they taken away? How could the Government, which pleads for the absence of shipping space for ordinary imports into this country—the case of the Government is that we cannot bring capital goods in this country because there is no shipping space—how could they, in the midst of a gigantic war when the German submarines were so very active and playing havoc with the Allies' shipping, how could they afford to find shipping space to transport these thousands and thousands of people to different theatres of war to fight the battles of the British Empire? I believe that any National Government in this country would have seen to it that the entire Army on the Eastern Frontier of India was cent per cent Indian, but it is that spirit of mistrust which has resulted in the present Government importing soldiers from abroad—Americans, British, East Africans, West Africans, Chinese and all these big forces have been brought into this country because the Government of India and their masters in Great Britain are haunted by a feeling of mistrust of the people. We have absolutely no voice or say in the organisation, in the control and in the direction of this huge military machine which has been set up in this country at our expense and at our cost. Promises have been made that at some time or other in the distant future—God knows when—the Army in India is going to be Indianised and defence is going to be handed over to a minister responsible to the Indian people.

I now come to the next charge, namely, the malicious and tendentious propaganda which has been carried on by the Government of India and their agents in the United States of America to slander the great people of this country. They have set up their Agent-General there to do this. The other day, the Honourable Leader of the House, when I put a question to him, stated that 1/10th of what was stated in the article was true. This was an article about British propaganda in the USA. The Honourable Leader of the House forgot, and conveniently forgot, that 9/10th of what had been stated in that article was no other thing but a repetition of the propaganda which is being carried on by the agents of this Government in the United States. Therefore, it could not be true ... Sir, I am quoting an extract from an article to show the type of propaganda which has been carried on against us: Here is an extract from a publication entitled 'Four Freedoms' issued by the British Information Service in America:

What is the force that holds the Government of India and the mass of the Indian people together?

It is news to us that Government of India and the mass of the Indian people are at all together. The article proceeds:

The Atlantic Charter guarantees four freedoms to the world of the post-war Future—Freedom of Speech, Freedom of Religion, Freedom from Fear and Freedom from Want.

It may be necessary to promise the first three of these freedoms to other countries, but India has already been enjoying them for over a hundred years.

Sir, it is really a lie of the worst type to say that there is freedom of speech in this country when men like Jawaharlal Nehru, Maulana Abul Kalam Azad and other patriots are under indefinite

detention just because they had the courage to say 'Quit India, because we want to set up a Government of our own.'

There is another short extract. It says:

'Under Bajpai's direct supervision, thousands of pages of poisonous propaganda against India and her leaders have been published at the cost of the Indian taxpayer. The strong and natural anti-Japanese feeling in America is exploited to describe Mahatma Gandhi and other Congress leaders as defeatists and agents of Japan. The least bit of criticism appearing in any obscure paper in India is eagerly picked up and purveyed to American readers by means of hundreds of thousands of leaflets for the sole purpose of discrediting Gandhiji and the Congress. This is the special responsibility of the department over which Bajpai presides. The air mail brings an unending stream of the right stuff from India where a huge 'Information' department is maintained for the purpose. The air mail reaches in a matter of a week'.

It would be very interesting to know why this propaganda is all centred on the United States of America and not on Russia. For the simple reason that the Russian people know all about the doings of the present Government in this country and about their masters in Great Britain—the atrocities, the horrors, the detentions, the shootings and the murders committed by this Government. Therefore, there is no room for the spread of malicious lies in that great Republic of the Russian people. But in the United States of America they think that they have got a soil where the seed which they are scattering all over the country might take root, but I am sure, Sir, that there also they are going to be disillusioned.

I now come to the performance of the present Government in the domain of agriculture. They have absolutely failed to rise to the occasion and to come to the rescue of our peasants. What do we find in this country? If you go to the villages and the countryside you find illiteracy, you find hunger, you find nakedness, you find complete absence of medical relief: and these are the people who contribute to the upkeep of this white elephant which is called the Government of India.

And, now, Sir, coming to the financial and industrial side, although the Governments in the Dominions of Canada and Australia did not have any heavy industries before the war started, they became alive to the realities of the situation, and while this great war was going on and in spite of the difficulties of shipping space they managed to obtain capital goods and they started heavy industries like automobile, aircraft production, ship-building, locomotive manufacture and chemical industries. But what do we find in this country? We find that the Government of India did not take any advantage of the war situation to set up these industries because we have got no freedom in the matter of setting up industries. We cannot set up any industries which are likely to compete at the end of the war with the industries which now flourish or are likely to flourish in Great Britain after the war. We have no freedom and therefore that is the real reason why this Government has betrayed the people of India by not setting up these heavy industries, which are so vital for the welfare and for the strengthening of our nation.

Now, Sir, in the closing year of the war, we have got absolutely no freedom to pursue an exchange or currency policy of our own choice.

Then there is the coal muddle. The machinery for the production and distribution of coal has absolutely broken down at a time when the industries set up during the war were badly in need of coal. There is a shortage of coal with the result that several factories and mills had to close down and this might bring down the production in this country and might result in killing once and for all some of the industries which the Indian people managed to set up during this war in spite of the restrictions and handicaps which an unsympathetic Government had imposed upon them.

And then what is their attitude, in the matter of sterling balances which now amount to the tune of 1,200 crores and the Empire Dollar Pool? It is a wonderful mystery. It is like the Dead Sea.

Liquid gold flows into it but nothing comes out of it. The Government of India will not take this country into its confidence by telling us what are the financial resources of this wonderful dollar pool. Everything is being kept as a sort of mystery. Everything is secret and now after so much public agitation something like 40 million dollars for two years have been released because there was an uproar in the country. All this is shrouded in mystery and all our currency, our finances, our sterling balances, our dollar reserves are being manipulated by a subservient Government in the interests of Great Britain and not for the people whom they pretend to serve. This must be exposed once and for all.

Then there is the sending of the Hydari Mission to England. All these attempts to bring consumer goods into the country when the war is about to end is a direct blow aimed at industries set up in this country as a result of the war. We do need consumer goods but we must see that those goods should not be brought into this country which would compete with the goods already being manufactured in this country. We do not want our industries—which have come into existence as a result of the war—to be killed just because it suits Great Britain to send their consumer goods to this country. When we demand that capital goods should be brought into this country we are told there is no money and no shipping space. These difficulties will go on as long as an irresponsible Government is at the helm of affairs in this country.

Now I come to another subject which deals mainly with my people whom I have the honour to represent, that is the Pathans. In the year 1935 this House passed an adjournment motion against the Government of India in bombing the Pathan tribesmen in the tribal belt and it was condemned. And what do we find in 1944? I will read a short extract to show that this kind of bombing has been going on in the tribal areas by a Government which pretends to be a civilized government, a democratic government, a government which is fighting for freedom of conscience and of thought all over the world. Here is an extract from an interview given by the British Political Agent in North Waziristan. It was published in the *Civil and Military Gazette*, Lahore, on 5th January 1945, and it was for the first time that we came to know that our kinsmen in the tribal belt were being bombed for months on end. It reads thus:

The story of intermittent bombing, lasting for five months, of the villages of some of the turbulent Pathan tribes in North Waziristan under the Faqir of Ipi, was described to me by Mr R.H.D. Lewis, Political Agent, North Waziristan, in an interview at Miranshah on Tuesday.

Mr Lewis emphasized that air action was taken against carefully selected villages, (This is how a butcher sets about his business efficiently) and houses and invariably followed verbal and written warnings to the tribes about the time of bombing....

In retaliation the Political Agent ordered the bombing of the villages where hostiles were encamped. The first bombing was made in February and then it intermittently continued up to June last.

For five months these unfortunate people were being bombed by a Government which pretends to be civilized. It is said that the hostiles were encamped in these villages. They are never encamped in these villages. The hostiles who come out to fight are always at the front. The people who really occupy the villages are the women, the aged, the infirm and the children: it is this unfortunate non-combatant population which was the target of these bombs falling from British aeroplanes and on a people who are as good British subjects as we are.

Mr President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr Abdul Qaiyum: I will take two minutes and then I will conclude.

Let me say something about the notice which is given. The first notice which they receive is the first bomb which falls on their heads: no other notice is given. All this story of notice is a lie

and I would ask the Government of India to do one thing. If they do not abstain from this horrible practice of bombing civilian non-combatants, I would ask then to confine this dirty work to non-Indians. It is really very cruel on the part of Government to send out our young airmen, who really are as good patriots as any on these benches, to do this dirty work in the cause of British Imperialism. I would like the Government of India to see that only non-Indians are sent to perform this dirty work of bombing the civilian population.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Why not try them in England?

Mr Abdul Qaiyum: Sir, the promise of reforms in Baluchistan has not been fulfilled. There is nobody to speak here on behalf of Baluchistan. Even though a promise was made that a representative would be nominated the powers that be thought it fit to send a representative to the other House. They would not introduce elections.

The people in Baluchistan are very largely Pathans. They are of the same race, the same blood and speak the same language as my people in the NWFP. In fact they form part of the same people whom I have the honour to represent in this House and I condemn the Government of India for having ignored the question of reforms for Baluchistan and for having done their worst to stop those people from having elected bodies of their own.

There is also the failure of the Government to revise and increase the subvention to the NWFP. Our provincial Government is starved for money and 6,000 of our teachers are on strike because of inadequacy of pay. Sir I conclude my speech as my time is up. I think that the record of this Government of India is so very black indeed that they deserve to be censured and defeated. Sir I move.

Mr President (The Honourable Sir Abdur Rahim): Our motion moved:

‘That the demand under the head ‘Executive Committee’ be reduced to Re 1’.

¹ Abdul Qaiyum, A Congress Member of Central Legislative Assembly from General Seat of North Western Frontier Province 1937–45.

36. Bhulabhai Desai’s Speech in the Central Legislative Assembly on the Cut Motion, and Details of Voting, 9 March 1945

The cut motion of Re 1 was introduced on 9 March 1945 by Abdul Qaiyum to express lack of confidence in the Government. The motion was adopted on the same day by 61 votes to 53 votes.

Legislative Assembly Debates, New Delhi, Vol. II, 1945, p. 1281.

Mr Bhulabhai J. Desai: Mr Deputy President, I rise to support the cut motion which has been made before this House. It has been said that the aggressive declaration of patriotism is, I believe, the last argument of an unpatriotic person, for it is obvious that if it were so true it did not require the declaration of the last speaker before this House. It is a matter of sincere regret to me that people have been put forward here—my two Honourable friends¹—to deflect the course of debate by pretending something which we never intend to say.

The motion before this House is extremely straightforward. There are two facts, which are not in doubt—that those who sit on this side of the House represent the three-hundred odd millions of electors of this country, and it is equally a fact that those who sit there represent nobody except themselves and it is no use every time saying, ‘Oh, yes. I am as good a patriot as you, but nobody has confidence in me’, and confidence, after all, is the real measure of patriotism in any democratic

country in this world. Therefore, I think the less we speak about personal elements in this House the better so far as the other side are concerned, because they cannot claim more, for I am aware that in reference most of them—and I am excluding perhaps the European Members because I am not quite aware of their secrets—that as regards most of them many of the members of their own families do not agree with them, so that you might be quite certain that whether our struggle is based on means and resources which you may or may not approve, the fact that we struggle for the freedom of the country is a fact that cannot be denied. You may deride it, or, as my Honourable friend the Home Member said this morning, he was under a duty to keep people under detention and his duty was to suppress those who were fighting for freedom. Therefore he cannot get away with the fact that without any cause and out of sheer misapprehension one night they carried out a raid on those patriots—and I venture to say that again—who dared and were prepared to lay down their lives for the cause of their country, and not those merely who sat and supplied other people who fought and laid down their lives. Supply is a very simple problem because it is to be taken from me, passed through this hand on to the other and paid for by his sweat and labour—and that is the duty he did in our absence, extraordinary duty! I have known a sense of duty of this kind for the first time in my life. But, Sir, it is my duty to come down to every single charge that I propose to make before this House, to prove that you have done ill by this country, that you have acted during the last year, for which this particular vote is concerned, in a manner that is a standing disgrace to the Government, for indeed what have you done? Compliments are easily exchanged, and it is easily said, ‘Oh. You do not believe in war; we believe in war’. Perhaps it is easily forgotten that in this very House last year, in this very House in the year 1940 I got up and said we are quite prepared to make their war ours if only you have the confidence and if you are prepared to leave it as our job, but we are not going to make it our job if we are going to do it for the purpose of defence of your own democracy and not mine. You may neglect the bar of the world. It is no use saying what speeches were delivered elsewhere. The fact is that their conduct is much more important than the question of speeches delivered here or abroad. But take each thing done during the last year. My honourable friend the Finance Member said in a most glorious tone, shall I tell you? We have collected 830 crores of loans in a year and it is your proud record.

The Honourable Sir Jeremy Raisman: Not in a year. Since the beginning of the war, and 833 crores.

Mr Bhulabhai J. Desai: All right 833 crores. But what does that mean in terms so far as the people are concerned? Of course that is not a debt which the Indian people have to pay. The fact is that the stewardship of my Honourable friend, however much it may be praised by his own friends, has cost us this: our outstandings are sterilized. The thirteen hundred crores it will easily amount into. You are aware of the proverb: very often you go to a debtor. He says, you lent me Rs 100 but after all cannot you accept Rs 60? Then you say, cannot you give us Rs 60? He says, what does it matter. Rs 20 I will pay, Rs 20 I will get paid, and surely you are not mean enough to ask me for the remainder Rs 20! And I read that in the speech of the Honourable Member himself. He says that this is not time to discuss our liability. In other words it comes back to this. What we have taken we have pocketed and please do not discuss about it. It would be very wrong. I suppose some planning or unplanning is going on in the hope that he will try to rob me of some part of it. But let him beware that this country will not accept anything that is done by the irresponsible Executive of today. This country will demand that every pie that the sweat, the labours, the starvation, the debt of the people of this country had paid shall be recovered to the last pie.

Another Honourable Member said that they are looking for jobs. I think it is the least he should have spared himself. The very disgraceful show he made is unworthy of a man in that position. You think Mr Churchill is doing a job, or that he is looking for a job when he wants to

govern his own country, because he has a right to do so! To call that a job is not understanding the English language and if you do not understand it why don't you talk in Marathi? I think it is right that if you use a language you should understand what you are talking: otherwise do not speak in it. So let us not have this kind of language in order to stigmatise people who deserve better. You may not want to do it or desire to do it. You may want to feather your nest. You may not want to declare every moment that you do not want to resign, but you know that you do not want to resign. You all know that in all probability it will not happen. So you say, let us say, we will resign. The fact remains that you do not want to resign if you can help it. What is the good of tamarind trees in Hardinge Avenue! Why not have the courage to say that Parties in this House will come to an understanding and when the British Government have the honour to honour the pledge they have given, certainly you will have the honesty and obligation to resign. It is no use talking in terms of obscurity of this nature. Let us talk straight. The fact remains that whether we take office or not, are you here to say that because we do not take office therefore you have done everything right? It is a great pity that the way in which this issue has been raised has entirely obscured the issue.

I have told you about the two great issues which are the gift of our friend, the departing Member for Finance. Have you ever found a person who said your balances are not recovered and your debts have grown, and that is good stewardship! That is to his credit. Well, get on with the rest.

My Honourable friend who was very vociferous a little while ago when this House told him that he had no business to send any representative of this Government—not of India—South Africa as an honourable protest, because that is the least we can do in order that we may show that we do not propose to deal with a country that does not deal with us, prevaricated in this House. He said, I do not know whether the gentleman is in Bombay I do not know whether he is going or has gone. Such a perverse ignorance coming from the Honourable Member is amazing. He ought to have stated, I insist on sending him. I intend to send him there. I do not intend to honour the vote of this House. And yet he says, why not give me your confidence? But by your own conduct you have forfeited it. Therefore if you resign you resign in an ignominious condition altogether. After all, one can say two things for one if he wants to.

The point is: what is it that you have done? Our position abroad had deteriorated daily including the position in every other country. My friend, the Leader of the House—of course he will have to apologise or speak at all events in an apologetic tone—knows that very dirty propaganda is being carried on under the aegis of this Government against India is general in America. He may say that it is one-half, or one-third, or one-ninth true. But why should it be anything at all? You spend my money and malign my country in another land and then say that this Government deserves some confidence? My friend says it is a joint responsibility. I hope it is. Then I hope we know with whom we are dealing.

This morning my friend, the Honourable Mr Mudie, referred to an error in the number of prisoners and he thought he had secured a very great point. Does it really matter as to the number of prisoners? The question is under what circumstances, what class of people, and for what offences have you kept these persons in prison, that is the issue. The issue is not the number. Even if you keep one man in prison it is a symbol that India is fighting for freedom against you. Then you do not deserve well of this country. One thing is certain that this war would have been fought in vain if India is to remain exactly what it is. Do not go and tell the world that my soldiers are fighting for freedom, that we are having victories, that we have great strength and great merit. So they have individually. I am glad India has. But for what purpose are you using it is the real issue? And that is the issue or which I hope and trust that every man, who votes against this motion, will have to

lay his hand against his conscience and say that he is an honourable man or a dishonourable man. If you advance the freedom of India by an inch, it is a question of freedom. It is not a question of agreement to replace one or two members from the other side. It is all very well to talk of slogans of democracy, etc. But for whose democracy? Your democracy, meaning the British race that you are serving? Undoubtedly the Indian soldier has the honour of his convictions. He has fought in Africa, in Italy, in France. He now fights in Burma and I am quite certain he will go right into the frontiers of Japan. But who are you to talk about it?

(At this stage, Mr President (the Honourable Sir Abdur Rahim) resumed the Chair.)

I hope you have some sense that you are a subject race. It is amazing to me that these gentlemen should get up without the realization that they belong to the same slave race that we are, notwithstanding the salaries and the remuneration that they are claiming every time. We were willing to fight. We were not going to undertake the responsibility of fighting unless we fought for our own freedom along with the freedom of the other people and you do not like that. You were and are fighting for their banner, for their freedom against my freedom and that is the charge against you and that is a charge which will always remain so long as this present state of affairs lasts.

Two and a half million of our men, 830 crores of very easily raised loan and 1200 crores of sterling balances. Indeed that is what we have paid, those whom I represent, not one of you. And what is the result. The result is that in the march of freedom I am exactly where I was. I am merely told in a glib manner by people who have no authority of any kind, 'Oh, come to some agreement and we will vacate our posts. We are fighting that India shall attain complete freedom like any other country'. If there is the smallest honesty in all the declarations that Britain has made from time to time, if we desire to occupy a place similar to the Minister of the Crown elsewhere, it is not a proposition of finding a job and keeping people suppressed who want to fight for their freedom. So that the question is not what is happening in America. It is not your monopoly, though you may have a great deal of censorship. I know what is going on. What is going on is this that America by reason of the fact that they are allies in this war, by reason of the fact that their soldiers are in this country, by reason of the fact that they have come to acquire a great deal more of respect among the Indian people, not individual officials but among Indian people, it has now become difficult for them to resist the demand of India for freedom. They cannot call us uncivilized. They cannot call us unfit for freedom. And my Honourable friend preached to me, of all people my Honourable friend in this House, we won't be fit to get the freedom of this country if I do not call him a patriot. That is all the qualification. I am afraid I will attain freedom long before you ever think you will get it. The fact remains that it does not depend on my calling each single individual here and there a patriot. Let us have some sense of proportion. Let us have some logic, let us have some common sense. What is standing in the way of India's freedom? My not calling my friend a patriot? Have you ever heard of such a joke? I have not heard one. It is the best I have heard for a long time. If we do not call you a patriot, we do not get freedom. I assure you that I am prepared to lose that freedom if that is the only condition involved. The point is very simple. We have deteriorated every where. Our external affairs are not in our hands. We are ground down and our future is dark.

There is what is called planning going on. I do not know what is planning but this House passed a vote seriously and I trust that this House will stick to it. We said that it shall not be planned by any individual, however great or good he may be, that a committee of this House should be set up for this purpose and all plans should come before them. It does not matter whether you agree to it or not. We will be able to plan our future, we are quite capable of doing so when the time comes. It does not require merely the inside knowledge of a factory to plan a

country's future. It is an extraordinary idea with some people that because they collect revenue, or keep order in a particular district and then go into the inside of a factory that they are super-planners of the world. Plans are made for the world by those who have greater hearts, larger patriotism and greater interest in their country. So far you have mortgaged our future, you have degraded us in the eyes of the world. In every thing you have attempted to do you have disgracefully failed. I am very glad that any Indian, even a single Indian, who is able to go out can set an example to show what we are made of and what we represent. We do not want to take your place. It is not your place. It is a very different place, yours and ours.

Coming to the other Members of this House, it is not my desire to take up more time of the House. I have got only five minutes and I will sit down to the time. There is a Member for Trade, there is a Member for Supply and there are other Members also in this House. I have no desire, as I said, to deal with every Member individually. It is not the issue with me. It is their joint responsibility, on their own showing, of what has been done. And, as I said, if this country has been impoverished, if this country has come to the brink of starvation, if this country has come to the brink of epidemics, if this country has suffered it all in some useful cause, I would not regret it. I make a bold offer that I would even make a present of all the sterling balances if England has the decency to say 'From tomorrow you are free to arrange your own affairs in the best way you like'. But I do grudge that my money and my resources should be exhausted for other people's freedom and I continue to be a slave and this gentleman tells me that I must call him a patriot. Imagine coming and telling us that, the effrontery of it. The whole point is merely this. There is the fact that the country has fought the war. You may say you have fought the war. You have fought the war against us, against our will. I do not object to that, if you would like to use that phrase. But the fact remains that if all that had been expended even against me, notwithstanding all the difficulties I have put in your way, and you have secured the freedom of this country, I would have congratulated you but you do not care about that. The self-complacency of the Members sitting opposite is the most degrading thing that I have ever seen. They seem to think nothing better could exist in this world except themselves and I dare say if that is the attitude, then they compel us to say what we think of them. We do not want to say anything more. We want to talk about the administration. But the fact remains that unless this war is meant to be a war for our freedom, there is no doubt that every thing that has been expended, supplied, traded in or anything else, all that would be perfectly useless. That is the real issue before this House. The gentlemen opposite have administered this country in a most dismal manner during the previous years. As I said they have accumulated debts which bring me no *quid pro quo*. They have mortgaged the future of the country. They wish to plan something in secret and ask for the approval of this House. They say, 'Our wisdom cannot be questioned by the representatives of the Indian people. We are a very different race. We are a very superior race'. I am glad that you are a different race. We will treat you as a different race when the time comes. But the fact remains that if more resources are to be expended, if my freedom is gained, it is worth having done it but inasmuch as it is not done, I hope this House will unanimously condemn those sitting on those benches and if they have a sense of honour, they will also give their vote in favour of this motion.

Mr President (The Honourable Sir Abdur Rahim): The question is:

'That the demand under the head "Executive Committee" be reduced to Re 1'.

The Assembly divided:

Ayes—61

Abdul Basith Choudhury, Dewan

Abdul Ghani, Maulvi Muhammad
 Abdul Qaiyum, Mr
 Abdullah, Mr H.M.
 Ahsan, Mr Muhammad
 Ayyanagar, Mr M. Ananthasayanam
 Azhar Ali, Mr Muhammad
 Banerjea, Dr P.N.
 Chettiar, Mr T.S. Avinashilingam
 Chetty, Mr Sami Vencatachelam
 Choudhury, Mr Muhammad Hussain
 Chunder, Mr N.C.
 Dagar, Seth Sheodass
 Das, Mr B.
 Datta, Mr Akhil Chandra
 Desai, Mr Bhulabhai J.
 Deshmukh, Dr G.V.
 Deshmukh, Mr Goind V.
 Essak Sait, Mr H.A. Sathar H.
 Fazl-i-Haq Piracha, Khan Bahadur Shaikh
 Gauri Shankar Singh, Mr
 Habibar Rahman, Dr
 Hans Raj, Raizada
 Hedge, Sri K.B. Jinaraja
 Hosmani, Mr S.K.
 Ismail Khan, Hajee Chowdhury Muhammad
 Jogendra Singh, Sirdar
 Kazmi, Qazi Muhammad Ahmad
 Krishnamachari, Mr T.T.
 Lahiri Chaudhury, Mr D.K.
 Lakhichand, Mr Rajmal
 Lalchand Navalrai, Mr
 Liaquat Ali Khan, Nawabzada Muhammad
 Maitra, Pandit Lakshmi Kanta
 Mangal Singh, Sardar
 Manu Subedar, Mr
 Misra, Pandit Shambhudayal
 Murtuza Sahib Bahadur, Maulvi Syed
 Nairang, Syed Ghulam Bhik
 Nauman, Mr Muhammad
 Neogy, Mr K.C.
 Pande, Mr Badri Dutt
 Parma Nand, Bhai
 Raghubir Narain Singh, Choudhri
 Ram Narayan Singh, Mr
 Ramayan Prasad, Mr
 Ranga, Prof. N.G.
 Raza Ali, Sir Syed

Reddiar, Mr K. Sitarama
Sant Singh, Sardar
Satyanarayana Moorthy, Mr A.
Sham Lal, Lala
Siddique Ali Khan, Nawab
Sinha, Mr Satya Narayan
Sri Prakasa, Mr
Srivastava, Mr Hari Sharan Prasad
Subbarayan, Shrimati K. Radha Bai
Yamin Khan, Sir Muhammad
Yusuf Abdoola Haroon, Seth
Zafar Ali Khan, Maulana
Zia Uddin Ahmad, Dr Sir
Noes—53
Ahmad Nawaz Khan, Major Nawab Sir
Ambedkar, The Honourable Dr B.R.
Anthony, Mr Frank R.
Azizul Huque, The Honourable Sir M.
Benthall, The Honourable Sir Edward
Bewoor, Sir Gurunath
Bhagchand Soni, Rai Bahadur Sir Seth
Caroe, Sir Olaf
Chapman-Mortimer, Mr T
Chatterjee, Lt Col Dr J.C.
Daga, Seth Sunder Lall
Dalal, Dr Sir Ratanji Dinshaw
Dalal, The Honourable Sir Ardeshir
Dalpat Singh, Sardar Bahadur Captain
Dam, Mr Ananga Mohan
Das, Pandit Nilakantha
Ghiasuddin, Mr M.
Ghuznavi, Sir Abdul Halim
Griffiths, Mr P.J.
Gwilt, Mr E.L.C.
Habibur Rahman, Khan Bahadur Sheikh
Haidar, Khan Bahadur Shamsuddin
Imam, Mr Saiyid Haidar
Inskip, Mr A.C.
Ismaiel Alikhan, Kunwer Hajee
James, Sir F.E.
Jawahar Singh, Sardar Bahadur Sardar Sir
Jehangir, Sir Cowasjee
Kamaluddin Ahmad, Shams-ul-Ulema
Khare, The Honourable Dr N.B.
Krishnamoorthy, Mr E.S.A.
Kaushal Pal Singh, Raja Bahadur
Lawson, Mr C.P.

Mehta, Mr Jamnadas M.
 Muazzam Sahib Bahadur, Mr Muhammad
 Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami
 Mudie, The Honourable Sir Francis
 Piare Lal Kureel, Mr
 Raisman, The Honourable Sir Jeremy
 Ram Nath, Mr
 Richardson, Sir Henry
 Roy, The Honourable Sir Asoka
 Shahban, Khan Bahadur Mian Ghulam Kadir Muhammad
 Sheehy, Sir John
 Spence, Sir George
 Srivastava, The Honourable Sir Jwala Prasad
 Stokes, Mr H.G.
 Sultan Ahmed, The Honourable Sir
 Sundaresan, Mr N.
 Thakur Singh, Capt.
 Trivedi, Mr C.M.
 Tyson, Mr G.W.
 Tyson, Mr J.D.

The motion was adopted.

¹ These two appear to be Dr N.B. Khare and Sir A. Ramaswamy Mudaliar.

37. Britain Should Prove Her Bona Fides

Editorial, entitled 'Evading Responsibility', *Hindustan Times*, 10 March 1945.

In reply to a question in the House of Commons¹ Mr Amery repeated his old slogan that His Majesty's Government's policy was based on the draft declaration of 1942 brought by Sir Stafford Cripps and that its fulfillment depended upon a common measure of agreement between the principal parties. Enlightened opinion in England has come to realise that this is merely a method of evading responsibility. We are glad to say that Sir Muhammad Zafrullah² has tried to impress Britain that she cannot escape in this manner.³ The British Government has the responsibility of finding ways and means of transferring power to the Indian people to whom it rightfully belongs. It is always open to Britain to retire from India and let the Indian people manage as best they can. If this method is considered to be inconsistent with Britain's duty towards the world and India, she must devise ways and means of handing the government over to such popular agencies as may be able to hold it till a full-fledged constitution made by the representatives of the Indian people can take effect. The differences between the Polish Government in London and its rival in Warsaw have been far more acute than those dividing the Congress and the Muslim League. The Big Three did not think that this conflict justified denial of self-government to the people of Poland. They have decided to set up a provisional government as representative as possible with a provision that, after free elections, the will of the people should prevail. The procedure has been laid down for all the other liberated countries of Europe. Why should not Britain treat India, who has given so liberally of her men and money for the war, in the same manner? If Britain wills, there is no dearth of practical suggestions. All elements in Indian politics are ready and willing to co-operate

in forming a provisional government at the Centre without compromising their views in respect of the future constitution. It is solely the unwillingness of Messrs Churchill and Amery and, perhaps, some of their officials in India that is prolonging the deadlock. As regards the future constitution, Sir Muhammad Zafrullah had made a very useful suggestion. Let a time limit be fixed within which all the parties in India may be called upon to agree to co-operate in the making of the future constitution. If they agree, well and good. Otherwise, Britain, as the present holder of power, should frame a constitution, incorporating in it such safeguards as she thinks fit for the minorities and enforce it. So long as this constitution contains full constitutional powers for changing it and a reasonable procedure for doing so, India cannot but accept it. Commenting on this proposal the *Manchester Guardian*⁴ has tried to raise many objections which should automatically vanish as soon as any definite action is decided upon. The real thing is that Britain should prove her bona fides, not by parrot-like repetition of a formula, which her presence in India makes it impossible of fulfillment, but by acting in the spirit of an honest and responsible trustee intent upon fulfilling his obligations. There is also much weight in Sir Muhammad Zafrullah's suggestion that the new constitution should leave the door open to the Indian States, but that its coming into force should not depend upon their consent or accession. In spite of all its limitations, the federal part of the Government of India Act of 1935 might have been working now but for the fatal stipulation that a certain number of states must accede before it could come into force. We also whole-heartedly endorse the view expressed in an article published by the *New Statesman and Nation*⁵ regarding the preliminary steps needed for the solution of the deadlock. Release of imprisoned leaders, restoration of popular governments in the provinces and stoppage of non-Indian recruitment in the services were all the elementary steps that should be taken to bring about a revival of faith in Britain probity indispensable for a peaceful settlement. It would be folly for the British government to think that present frustration will be endured indefinitely. At the end of the last war the peace and comfort which were the due reward of the people of England after their great victory were dangerously disturbed by the Irish dispute. It would be a sad failure of statesmanship if the present bitter feud between India and Britain cannot be composed when a brave attempt is being made to solve the great problem of securing the peace and freedom of all the world.

¹ On 8 March 1945.

² Muhammad Zafrullah Khan was the leader of Indian delegation selected by Government of India to the Commonwealth Relations Conference held in London from 17 February to 3 March 1945. His spirited speech on the opening day has been included in chapter 3 Sec. 1 'Propaganda Campaign Abroad', in the United Kingdom.

³ Muhammad Zafrullah in an article in *The Spectator*, week ending 25 Feb. 1945, London, had raised the issue.

⁴ *Manchester Guardian*, London, week ending 4 March 1945.

⁵ *New Statesman and Nation*—*New Statesman* was started in 1913 and changed to *New Statesman and Nation* in 1931.

38. Internment of Bihar Leaders a Hasty Step¹

Mr A.N. Sinha on Rectification of the Wrong.

Amrita Bazar Patrika, 16 March 1945.

Wednesday, 14 March. Mr Anugrahnarain Sinha, interviewed by the representative of *Patrika* said, "In my opinion the Government was hasty in taking action against members of the Advisory committee of the Congress Constructive Workers Committee for reasons given in their communiqué of January 17 last. It was never the intention of any one of us to make preparation for the mass Civil Disobedience under the cover of constructive workers' programme. When I read the Government communiqué at Wardha, I was surprised at this attitude of the Government and I

thought that this might have been due to misunderstanding of some portions of the two speeches. For my part I thought it better to clarify the position and I took the earliest opportunity to do so. I am glad the Government has realised the wrong which they intended to do the members of the committee’.

¹ See Documents Nos 5, 25 & 37 also.

39. Gandhi’s Protest Against the Ban on Constructive Workers of Akola and Elsewhere, 11 March 1945

CWMG, Vol. 79 (1945), p. 236. Also GOI, Home Dept, Poll (I), File No. 97/45/Poll(I), NAI.

Sevagram
11 March 1945

A conference of Congress workers, limited in number and by special invitation, was recently banned in Akola by the District Magistrate. The order is reported to say that ‘discussion will take place among other subjects on the work and programme of the Congress, particularly in villages’. Considering the influence of the invitees, he was of the opinion that this conference would ‘hamper the successful prosecution of the war’. It passes comprehension how a conference, where only discussion could take place, can hamper the prosecution of the war or how the constructive programme, no matter how influentially worked, can hamper the prosecution of war. Does the Magistrate say one thing and mean something else when he says that a successful working of the constructive programme can and will make the present war with the Japanese impossible? This may need proof, but no proof is needed to show that the constructive work cannot and is not designed to hamper in any way whatsoever the prosecution of the war. What it can do is to bring work and bread to villagers in their own homes, besides making illiterates literate and happy. Or does Government, if the order is prompted by them, want to prevent influential Congressmen from serving the people in any way whatsoever? If so, why have they released Congressmen at all? Anyway, Congressmen whose only calling is service of the people will serve mutely and without caring for the consequences that may befall them by reason of their service. That is the true meaning of ‘do or die’.

40. Sampurnanand’s Protest Against Ban on Congress Meeting at Varanasi, 16 March 1945 Statement to the Press

Leader, 17 March 1945.

I was not entirely unprepared for the ban placed on the meeting of the Provincial Congress Representative Assembly (scheduled to be held on 17–18 March). The local representatives of the CID have been busy for the past few days trying to find out what the proceedings of the Assembly were likely to be. They seem also to have been upset by our distributing medicines for plague. They have been trying to find out where the money for the purpose comes from and whether any other activities are carried on under cover of this work. On the 13th I wrote to the district magistrate that the meetings of the Assembly are open to the press and following the precedent established at Lucknow, police reporters can be present if they choose to do so. Therefore there was nothing secret about them. In any case, the proper person to address enquiries to in this connection as well as about anti-plague measures was myself. Others need not be harassed. To this an answer was

brought to me yesterday, the 15th, regretting that our meeting could be no exception to the general order under Section 56 of the DIR which bans all meetings and processions. The letter is dated 14 March. If the district magistrate had selected a person lesser than the deputy superintendent of the CID to deliver it the time taken would probably have been much less than 24 hours.

I refuse to believe that the local authorities could have taken such a step on their own initiative. The Governor who is at present the provincial Government, must bear the responsibility for stopping the constructive work conference which formed one of the major items of the agenda of the meeting.—API.

41. Declare India a Dominion

T.R.V. Sastri's Presidential Address at the Annual Conference of the National Liberal Federation, Lahore, 17 March 1945.¹

Tribune, 18 March 1945.

The Government must declare immediately that India shall have the status of a Dominion at the end of the war. The political prisoners and the Congress detenues should be immediately released. In fact they should have been released long ago. Even for a solution of the present deadlock, mutual consultations between the members of the Working Committee of the Congress is necessary and their continuance in goal and the refusal of the Government to allow mutual consultation between them only add to the difficulties in the way of finding a solution.

We are in the grip of a deadlock from which it almost seems as if there was no way of escape, and a sense of frustration has overtaken us. If there was ever need for unity it was during these recent years. We have instead reached during these years a degree of disagreement and disunity, unknown at any time before in our country's history.

I am not unaware that the actions of the Congress in the course of their administration were not always above criticism. I have had on occasions myself issued statements to oppose their measures and criticise their actions in strong terms. Want of previous experience in the art of administration, impatience in the pursuit of their laudable objects, an assured belief in their good intentions and in the rightness of their methods, lack of due consideration for the opinions of others and in the fact of difference, absence of any active effort to persuade or conciliate, or to accommodate or adjust, were in the main their weaknesses. Whatever other charges may be laid against them, they cannot be charged with communalism. And to my mind, the extreme charge of tyranny and oppression of the Muslims lacked justification. I take it that it expressed not so much a charge founded on facts as a sense of deep dissatisfaction with affairs due to a combination of circumstances for which the Congress cannot be held responsible. And the period of their ministry was too short to justify any permanent characterisation of the attitude of the Congress in the field of politics.

It is my considered opinion that we must definitely set our face against the demand of Pakistan. The world trend is now to unite countries in a common effort for the good of the world. It would be the height of folly and unwisdom to think of dividing a country now united. To create separate Sovereign States in India is to weaken the whole country.

I may state broadly the points that require consideration by those who have plumped for Pakistan. It seems to me without full consideration of the many difficulties in the division of India, if it comes about, will be the abandonment of all our hopes for her greatness as an Asiatic Power, who in conjunction with China, will be a bulwark of peace in Asia and so of world peace. That in itself is a serious loss.

The geographical features of the country had marked it for a great role and it has been the dream not only of the ancient Aryans of the very soil on which we meet, but it inspired successive rulers of the country to try to establish sovereignty over all the known kingdoms of the time and it has inspired great rulers like Asoka, the Guptas and more recently Akbar to attempt to bring All-India under one rule.

Britain's effort in the same direction has at last succeeded largely by reason of the scientific discoveries which have annihilated distances and made different parts of India neighbours of one another.

During the last one hundred and fifty years, this country has been slowly welded into one State and thereby an ancient dream has been successfully converted into reality. Westerners started an idea of division, not more than ten years old, without fully examining its political, economic, financial and strategical implications. The difficulties which have to be overcome are many and too serious to be lightly passed over. The claim for separation will prove detrimental not only to the whole country but also to the Muslims themselves.

Pakistan is no solution for the problem of the minorities. The creation of separate Sovereign States does not really get rid of the minority problem altogether. There will be a large proportion of non-Muslims in the Muslim-areas so separated and comparatively a small proportion of Muslims in the Hindu areas. Definite and satisfactory safeguards for the non-Muslims in the Muslim areas are offered. If such an offer is just and fair to minorities of over forty per cent in those provinces, would it be impossible to devise safeguards for the protection of the essential cultural features of all groups including the Muslims within a United India?

What again of the expense of defence which each independent State will have to maintain? And would the defence organised by the separate States be adequate in the event of aggression? Will the four States in the North-West agree to join and belong to one State? Will the Punjab agree to look after their financial needs and requirements? Will the Non-Muslim areas in Punjab desire to remain in an independent Muslim State or claim to form a separate State of their own? If separate independent States are formed and they have their own armies, will joint action invariably result when emergencies arise? May they not be turned against each other in a fratricidal war?

The Muslim League appeals to the principle of self-determination. This principle is a much misunderstood one. It is a principle which, in the nineteenth century, was appealed to as an integrating force for bringing about the creation of single community nation-states such as Germany and Italy, out of a mass of smaller, snarling units. If a group of people are already included in a State along with other groups, they cannot seek to get away from it in the name of self-determination. It is a case of secession from an existing State to which that principle does not apply and should not be applied. Its recognition in this sphere would lead to sheer anarchy. It has been recognised that it is impossible to grant independence to a section of the population unless they had a territory capable of sustaining the economic and political framework of a nation.

Writers have deplored that in the twentieth century self-determination has become a disintegrating force, which uncontrolled, will lead to very serious consequences for the peace of the world and for the welfare of the nations. Here is what Walter Lippmann says:

Wilson made the mistake of identifying himself with the principle of self-determination. Forgetting Abraham Lincoln, forgetting the greatest constitutional issue in the history of the United States, he never paused to define the difference between self-determination and the right of secession. To make the principle of self-determination the supreme law of international life is to invite sheer anarchy. For the principle has been and can be used to promote the dismemberment of every organised State. None knew this better than Adolph Hitler himself. The principle of self-determination was his chief instrument for enlarging the Reich. At its worst, it rejects the ideal of

a State within which diverse peoples find justice and liberty under equal law and become a commonwealth. Self-determination, which has nothing to do with self-government but has been confused with it, is barbarous and reactionary. By sanctioning secession it invites majorities and minorities to be intransigent and irreconcilable.

The idea of self-determination which did appeal at one time is now seen as requiring control by the conception of duties. The group owes a duty to those others who form part of the State. What they claim for themselves they must concede to others and self-determination in such a case is nothing but anarchy.

In order to support their claim to self-determination the Muslims urge that they are a separate nation. That claim cannot be seriously maintained. Men of all creeds including Muslims have lived in this country for centuries. The Muslims have lived alongside of the Hindus for eight hundred years and more. Very largely they are the descendants of converts from Hinduism. Separate nationhood is a discovery of recent years. That discovery is to attract the phrase of national self-determination in support of their claim. Describing others as sub-nations is to deny self-determination to them. That converts change their nationality by conversion or that those who profess the religion of the rulers at one time should found a claim on that fact has only to be stated to be dismissed.

Successive Viceroy's have set their face against division. Even among Muslims there is a large and influential section against division of India.

Modern problems have only stressed this need for unity. These problems lie mainly in the economic field and here the differences if any are not between men professing different policies but between the rich and the poor, the landlord and the ryot, the capitalist and the labourer, the producer and the consumers. In any future political organisation it is along these lines that parties are likely to be sharply divided. The economic prosperity and welfare of people of India can be promoted effectively only by pooling their resources together. This has been proved abundantly in the course of this war when it was found essential for the Central Government to take charge of the whole of India's food problem. Even the Indian States who tended to stress their Treaty Rights have now begun to realise that Treaty Rights must give way to that grim necessity of providing food to their starving subjects.

So far I have not touched on what the Government should do at this juncture. The Government must declare immediately that India shall have the status of a Dominion at the end of the war. Her millions have fought in the battlefield for the cause of the United Nations. The Cripps offer contained that declaration and the answer of Sir Stafford Cripps to the questions put to him made clear that the status of India shall be the same as that of other Dominions and that India shall have the same right either to remain within the Commonwealth or to go out of it. That declaration must be made forthwith and implemented so far as may be by the British Government. While they are devising measures for reconstruction of Italy, Poland, and Greece, they do not have legitimate excuse for postponing the freedom of India. The intricacies of the problem in the countries mentioned above did not bar them from taking steps even when the war is on. And the Indian problem presents no features more difficult to resolve than the problems they are solving now elsewhere.

I should say that the Governor-General should have released the political prisoners and the Congress detainees long ago. During the time of war the Government may have to be clothed with extraordinary power in the interest of public security. I will concede that in the interest of public security the liberty of the individual may have to be curtailed. But that very concession means that it is only so long as the public security demands detention it may be justified. As soon as it is reasonably clear that public security no longer demands their detention, the detainees ought to be released. Neither the public peace nor the safety of the State any longer requires the detention of

these persons and the continuation of their detention is wholly unjustified. They should be immediately released. Even for a solution of the present deadlock, mutual consultation between the members of Working Committee of the Congress is necessary and their continuance is the goal and the refusal of the Government to have mutual consultation between them only added to the difficulties in the way of finding any solution.

If the Muslim League, Congress, Hindu Mahasabha and the other parties in the country are unable to agree upon any satisfactory solution, the recommendations of Sapru Committee will, I hope, furnish the basis for a constitution for a United India. As already stated, Sir Tej Bahadur Sapru has strongly urged that the integrity of India should not be broken.

Subject to that one condition, ample safeguards should be provided for protecting the culture, religion and language of the Muslims. The Government in power cannot divert themselves legitimately of the responsibilities of finding a successful solution. Sir Muhammad Zafrullah Khan made a valuable suggestion when he said that if within one year after the war the political parties in India do not arrive at an agreed solution, the British Government must evolve a machinery for resolving the present deadlock themselves. In the recent Dumbarton Oak Conference² a solution was evolved for solution of international conflicts by negotiation, mediation, conciliation, arbitration, judicial settlement or other peaceful means to be chosen by the parties to the conflict. Failing that the conflict should be referred to the Security Council. Though this formula deals only with international conflicts its principle may be applied for resolving the Indian deadlock.

The Native States are intimately bound up with British India. The people of British India and Indian States are linked together in a number of ways. The economic position of the States is bound up with that of British India. The inter-dependence was brought to the fore when the famine in Travancore and Cochin had to be averted by the distribution of food from British India. In the Round Table Conference the States agreed to come into the federation. Subsequently their enthusiasm cooled down. In the new constitution they must be brought in and made part of federation. The time has come now when the States should have representative Government and the peoples of the States should be given their due share in a popular Government. In the Federal Legislature, not only the rulers of the States but also the subjects of the States should be represented.

It has been acknowledged on all hands that the economic position of India requires considerable improvement. The general poverty of the masses and the low standard of their life are well-known. The war has enabled us to see in how many directions the improvement of the country requires to be made. We have known of the great strides which England has made in several spheres of life. The industrialisation of the country is a matter of primary importance. The improvement of agriculture deserve no less attention. There have been many plans drawn up or are in the process of being drawn up. I will not attempt to assess their exact value. The plans require expenditure in astronomical figures, how they can be worked out is a matter for the experts to consider. But all of them agree that without a national Government it will be impossible to put into effect the large-scale plan of economic policy. Here again the conclusion is forced on us that for the industrialisation of India, for the relief of poverty, disease and unemployment among the masses and for many other large-scale programmes like sanitation, transportation, etc., it is necessary that there should be a United India pooling her intelligence and her resources in one considered attempt to raise the standard of life of her people. In the economic spheres the picture is gloomy—the war has involved the masses in untold sufferings and left them without the elementary needs of life. The tragedy of the Bengal famine is only an extreme manifestation of the general distress prevailing in the country. Food consumption in Britain and in USA stood at a high level, Britain maintaining her standard and USA even improving upon it. The post-war plans of India are depending on our sterling balances. Britain should set apart some portion of the dollar credit she

is getting from USA for India's use. The war has about to come to an end and India's reconversion and reconstruction requirements demand that all her current dollar earnings are reserved for immediate purchase of plant and machinery from USA. The time has come now for India's withdrawing from the dollar poor as the dollar position of the empire has considerably eased according to Government's own decision and there should be no objection to this.

Another important aspect of post-war planning relates to the commercial safeguards in the Government of India Act. The sincerity of Britain's promise to help India's economic development and her willingness to part with power would be tested by her action in this matter. Her assent to the abrogation of these unfair provisions of Government of India Act will be one step in assuring this country that she is willing to part with power.

The plight of Indians in colonies and especially in South Africa deserve our active sympathy and help. Their ancestors were especially taken to develop the colony. They settled there and most Indians were born in that country and to them India is a strange land. They have not become a part of South Africa with rights of citizenship. When they become entitled to rights of citizenship like any South African, interest in their political welfare may cease. Till then it must remain a part of our national concern. There must be an empire citizenship. Is it not a matter of tragic irony that while USA is willing to admit Indians on a quota system and give them rights of citizenship, South Africa should deny that right to the Indians settled there? The Government of India should take such steps as might be necessary to protect them and the British Government should see to it that the grave injustice is remedied and further embitterment averted.

Recruitment in the services just now has an alarming aspect and needs our close attention. It is regrettable that the process of Indianisation in the services has not been accelerated. The recruitment in the officer's cadre in the Army is still disappointing. The Foreign and Political Departments are still largely kept a close preserve of the British. A large number of Europeans who have been recruited in the key services in the last six years leads Indians to suspect that foundation is being laid for decades of domination. No change in the composition of services till a new constitution is agreed to is spurious and untenable as an explanation. There will be no peace so long as imperialism lasts.

As for Britain's attitude to the future of India, words promise but action denies. Words uttered in adversities are forgotten on the turn of the wheel of fortune. Conduct seems to reinforce the assertion 'what we have we hold'. But some leaders of thought in England have deplored this attitude and have urged the need for giving independence to India. An Independent India will be an asset in the present war against Japan.

Everything plainly indicates the need for unity and united effort of all parties in India. None but the willfully blind can fail to see it.

¹ T.R. Venkatarama Sastri delivered the presidential address to the Indian National Liberal Federation on the occasion of its 25th annual session held at Lahore, 17-18 March 1945.

² Dumbarton Oak Conference—See Chapter 3 'Propaganda Campaign for Freedom Abroad'.



42. Demand for National Government

Resolutions and speeches on the second day of Twenty-Fifth Annual Session of National Liberal Federation, Lahore, 18 March 1945.

Hindustan Times, 19 March 1945 and N.N. Mitra, (ed.) *Indian Annual Register*, Vol. I, 1945, p. 308, Calcutta.

Resolutions—Demand For National Government

The following is the text of the resolutions:

(1) The National Liberal Federation of India expresses its great satisfaction at the success of the Allied arms on all the fronts and at the splendid contribution made to it by the Indian forces by their acknowledged valour and heroism in the various theatres of war and hopes that complete victory will soon crown their efforts.

(2) (a) While adhering to its opposition to any division of India into Hindustan and Pakistan, the Federation is of opinion that without prejudice to the different viewpoints on the controversial issue relating to the ultimate form of the future Indian constitution, the Congress, the Muslim League, the Hindu Mahasabha and other important political parties and interests should during the period of war, unite and co-operate with a view to the formation of a National Government both at the Centre and the provinces and urges on the British Government the necessity of forming such a Government at the Centre and creating it on the same footing as a Dominion Government. The Federation is convinced that the formation of such Government would help to clear away misunderstanding and promote mutual confidence and lead to the solution of many urgent and important domestic problems pertaining to the national economy of the country.

(b) The Federation deprecates the policy of the British Government in assuming the role of passive spectators and urges them actively to participate in the solution of the present political deadlock and take constructive steps to promote the establishment of National Government both at the Centre and in the provinces composed of important political parties and interests.

(c) The Federation urges the British Government to announce without delay that they would be prepared to implement their promises to India on the basis of an agreement between the various political parties and interests or on the absence of such agreement if necessary, by themselves enacting a Dominion constitution for India within one year of the cessation of hostilities.

(3) The Federation deplores the continuance of the political deadlock in India and regrets that the Government of India has not released all the members of the Congress Working Committee and the other Congress leaders so as to enable them to make their contribution to the satisfactory solution of the Indian problem.

Government Must End the Deadlock

Mr B.D. Rallia Ram, moving the main resolution on the political situation, strongly protested against the 'sit-right' policy of the British Government and said that all are agreed that the question of self-government for India can no longer be postponed. He said it was the Government's responsibility to resolve the deadlock, 'if purposely or by design they go to the wrong people they cannot find any solution', he added.

Principal C.L. Anand, seconding the resolution said Britain must confer Dominion Status on India. Mr M.D. Attekar said it was a big joke to be told we must come to an agreement; it was merely an excuse on the part of the British Government not to part with power. The British instead of deploring deadlock, seemed to be exultant over it. An agreed opinion was impossible so long as there was a third powerful party to disturb it. The resolution was passed.

Demand for Release of Leaders

The resolution demanding the release of Congress leaders was moved by Mr S.M. Habib. Mr Kodanda Rao said that the release of Congress leaders was essential for a solution of the deadlock. It was extremely unwise on the part of the Government to keep them in continued detention. He said: 'We Liberals feel very bitter indeed at their continued detention. Even if there was some justification for their detention in 1942, there is none today. Congress leaders must be released to take part in the public life of the country and in post-war development. Government must not be guided by a desire for revenge and thus crush the spirit of the people'. Mr Burjor Shroff (Bombay) said that the British Government had locked up its conscience by locking up the Congress leaders in jail. He wondered why 'Lord Wavell had not yet opened the mental bag he had brought from London to India'. He maintained that it was in the interests of the British Commonwealth to release the national leaders.

Working of Defence of India Act Criticised

Another resolution expressed deep regret and concern at the 'misuse of the Defence of India Act and Rules on numerous occasions'. The resolution stated that civil liberties were being invaded without adequate justification and for political gains.

The Federation also deplored racial prejudice existing between the white and non-white peoples of the world and suggested that 'unless a determined effort is made on a world scale against the course of race prejudice the non-white peoples of the world who are now fully conscious of their rights are bound to revolt against the tyranny of the whites and imperil the cause of world peace'.

The Federation pressed upon the Rulers of Indian States to declare full responsible government as their policy as rapidly as possible and assured the people of the States of its full support in their constitutional methods for securing reforms and the redress of their grievances.

The Federation expressed concern over the continued recruitment to the Indian services from outside India and strongly urged upon the Government the necessity for stopping all future recruitment to these services from outside India.

Food Situation

'The Federation in another resolution expressed profound concern at the food situation in the country which, though some what improved, is still far from satisfactory'. It urged the Government to evolve a more satisfactory policy and administer it efficiently so as to save the people from all avoidable hardships and distress.

The Federation unanimously passed a resolution to demand that in the Imperial and International conferences, India should be represented largely, if not wholly, by non-official public men commanding the confidence of the people 'until such time as a National Government can appoint its own proper accredited representatives'.

Defence Services Must be Nationalised

Demanding complete nationalisation of India's Defence services within a short period, the Federation also urged that India's status as envisaged in the post-war world and her future role as a bulwark of peace in Asia required a radical change in regard to her Defence policy. The Federation suggested that the Defence portfolio should be entrusted to an Indian Member commanding the confidence of the public and that a policy of Indianisation in all grades of the army should be adopted and people recruited from all provinces and classes to a much greater extent than at present.



43. The Issue is India's Freedom

Speech by Bhulabhai Desai (member from Non-Muhammadan Rural Constituency of Bombay Northern Division) on the Finance Bill in the Central Legislative Assembly, 26 March 1945.

Legislative Assembly Debates, 1945, Vol. III, p. 2049.

Mr Bhulabhai J. Desai (Bombay Northern Divisions: Non-Muhammadan Rural): Mr Deputy President, Sir, it is now my duty towards the fag end of a long-drawn out debate on this Finance Bill to say a few words to make known to this House, and not merely to this House but to the rest of the world, even though I do not belong to the All-India Radio, what our position is in the matter of impending question now, both internationally and nationally. So many issues have been debated in the course of this debate that perhaps it would be right to select topics or matters, on what is called sometimes sky-high policy, so as to be able to say a few words on behalf of those for whom I can speak and have the right to do so. Ever since we came to this House, it has been our invariable duty and it has also been invariably our luck that notwithstanding the present constitution, no Finance Bill has yet been passed in this House. There have been an infinite variety of reasons for that purpose and the most outstanding reason has always been that those of us who are called upon to provide the wherewithal willingly for the running of the Government by the gentlemen opposite, we certainly will not be willing parties. Whatever may be the point of view of the other side every taxation as a taxation is an extortion, as happened in occupied countries all over Europe recently. For indeed, it is not an uncommon phrase known here, known even to English Members that India still has an army of occupation and it is an occupied country, by whatever name you can call it. There are those who pretend that we are part of a Commonwealth; let them say so, if they like, it is a Commonwealth of a very extraordinary paradoxical type, their wealth is their own, my wealth is theirs and therefore we become a Commonwealth. Therefore, a new name has been given to a gentleman who is sitting on the other side of the House. I have no desire to enter into this controversy, or enter, into any personal recriminations of any kind whatsoever. If I happen to have displeased anybody by any public criticism, it has been in the performance of a duty which I could not help performing. If, therefore, I happen to say a few words here and there, stray words, which any of my Honourable friends may or may not like, I hope they will understand that it is not just in a spirit of reciprocity but in a spirit of performing one's own duty.

The Honourable Dr N.B. Khare: I will enjoy them.

Mr Bhulabhai J. Desai: The fact remains that even that invitation from the gentleman opposite cannot be noticed too often, so that I must continue whatever I wish to do, notwithstanding the invitation offered to me. In fact there are many people who love to be notorious in the world only because some better man happens to mention them and hence it is that the gentleman on the other side cited the supposed certificate from Mahatma Gandhi for the work he has done, but after all you cannot live on other's praises.

The position before the House today is that this Finance Bill has been brought under circumstances of immense strain. The world is no doubt in a turmoil and I have no doubt that we shall soon be called upon to face problems probably greater and graver than the mere task of mutual suicide that is going on. Some time the world will have to come to a state of sanity, and some time the world will have then to begin to think how to feed, to clothe and house and educate and thereby alleviate the face of mankind and ultimately raise the future status of manhood, in spite of the state of bestiality which is now the common fate of the world. It is with that background that I propose to say what I wish to say on this occasion. The first and the foremost thing is the question that has been raised by some of my Honourable friends and it refers to the task very

nobly performed by the Honourable Members sitting on the Treasury Benches. Each of them is giving himself a certificate of achievements that he has made. One of them actually said, 'don't you know what I have done in many ports of our sailors'. That is the last of the great performances that I heard. But if this is the sort of legacy that you are handing over, then let me tell my Honourable friends that whether the Estate Duty Bill is passed or not, we are not those who would wish to inherit this legacy. If we cannot manufacture our own capital, I think they may keep their legacy to themselves, so that this idle pretence to say, 'we are doing something which you are going to continue and well, therefore, why don't you congratulate us on our achievements', this is a function which they play usually to flatter themselves, but that is something which this side of the House cannot possibly accept.

Therefore, Sir, I come back to the two main topics which I wish to deal with, because we have voluntarily limited the time of our speeches today. The first and the foremost topic is one which the Honourable the Leader of the European Group broached this morning. In fact, he probably broached it in a somewhat indirect way. The first thing he said was, it is a paternal advice, which unfortunately, I am not old enough or young enough to accept—the first thing he said was this, please see that you say nothing so as to undermine the position of the representatives of the Indian Government at the San Francisco Conference. I do not know what he meant. Perhaps he did not realise, except for the reasons which I shall presently give, that the gentlemen who are going there are not representatives of the people of India. They have no prestige of any kind or sort, they are jackdaws and there is therefore nothing to detract from them. Therefore, there is no question of undermining a thing which does not exist, because if the real people of India went, that is what you ought to say, do not undermine their position. Contrast what is going to happen. They will go there as my Honourable friend Sir Olaf Caroe displayed, typical of the arrogance of the Government which is running the administration and what Sir Olaf Caroe told us in the House is extraordinarily a typical example of arrogance combined with ignorance. He says that the Government of India will give them brief and they will take a page from that brief and speak in the name of the country. Sir, it is very much better that this country went unrepresented rather than that people of this type should go and talk in the name of the country, and if I can do anything to repudiate that right to speak in the name of my country, then it will be my duty; it will be my endeavour to do so until they go and come back. So that there is no question of softening in this matter at all, notwithstanding the paternal advice, very well meant, but I am too old to be young enough to accept advice of this character.

This brings me to a few words which I may tell my Honourable friends of the European Group because I intended to say that irrespective of the occasion which has now been created by reason of this advice. They have supported, in good weather and bad, a bureaucratic and tyrannical Government in this Constituent Assembly by invariably casting their votes with them, whether they are right or whether they are wrong. It has given me great pain to watch during the last few years that I have been here that not once have they thought that we were right and Government was wrong. We cannot surely always be so universally bad as that and I therefore feel that rather than become friends of our enemies at least we might become friends of ourselves.

Sir, the issue on which I ask for a vote on this occasion is the issue of India's freedom, and if they fail us they fail us at their peril. Because, it is no use pretending that the war has got to be run and therefore this Bill has got to be passed. We are fully aware that whether the House passes this Bill or not they will find this money, by exaction or extortion or by any means they can. Therefore let us have no pretence about this. I here and now ask that if they are going to remain in this country, where we are going to come into our own, they should remain as our friends and their lot is with us and not with our dominators. And they must remember that if they fail to do that they

will be serving their constituents very ill-indeed. For, hear what Colonel Oliver Stanley said only two days ago:

After the war we have got to depend as never before on our export trade—that comfortable cushion on which we sat so long like our fathers and grandfathers before us. We are sitting now on bare boards. We have got to export in future not to be comfortable but to live.

I hope my Honourable friends who have lived on that cushion in this country will not find themselves on bare boards for no fault of ours. For it is time that their support of this bureaucratic Government, through good report or evil, whether they are right or whether they are wrong, is a matter of which we cannot fail to take notice. If they represent any interest that is anything like India their place is with us and not against us; and I am glad that the Honourable Leader of the European Group gave me an occasion to tell them what I have been long wanting to tell them. It is good to tell it publicly, not good to bear a private grudge of any kind.

The next thing he said was this: 'I am not in the know of what is happening. Lord Wavell has gone and may be, there is nothing'. And he has written what struck me as a very good obituary notice of the departed or parting deity, of course, in a political sense. And indeed he gave his praises all round, nobody was left out; a sweet for every child, and at the end of it all he said, 'After all is said and done, while you are there you are our friends'. Sir, a benevolent attitude of that kind does not serve any useful purpose. We have got to judge our future as never before. The comfortable cushion is gone, the bare boards are there for the world to live on. The world is bleeding, the world is sore, and on that we have got to build our future. And if we have to build our future on that let us see that we build our future on a proper basis.

That reminds me of what the proper representatives of India if they went to the San Francisco Conference would say. The first and foremost thing they would say is, 'Do we stand here as free people or is it like what happened at the time of the inception of that great dead institution at Geneva'? We were taken there after having signed a peace treaty, and on the second day after the peace treaty was signed by the then supposed representatives of the Indian people, a proclamation came from London that of the questions that would be brought before the Geneva meeting, the only questions would be between two independent States and not between independent States and dependencies. So we were taken there on a fool's errand, made to sign a treaty as if we were independent. That is the language which the Secretary for External Affairs used. He said, 'You have assisted us in the war, and therefore you go as a separate people'. I suppose he knows English and therefore he knows what it means, in any language that conveys the constitutional sense. The position is that if there is to be any delegation, I like to tell here and now, notwithstanding the desultory discussion that took place in the other House, that none of us is degraded enough to go as an appendage of these people; not as advisers of those who will represent others with opposite views. We will go on our own, or we will not go; and we will go on our own only when we are a real proper sovereign free state. And therefore it is that we will not allow any man to go and masquerade in others' feathers; I call them jackdaws, because I believe them to be so. They cannot go and say that they speak in the name of India. Of course they can speak in the name of themselves, with all the patriotism that they have and which they try to impress on the House time and again. But it is not a place for giving individual views, it is a place for representing countries and for representing the interests of countries. And nobody has the right to go and tell any other country or any public assembly in the world that he represents India. Therefore it is that I should be the last person to see anybody go on behalf of India. Of course we may be told, as Sir Olaf Caroe said, 'Well, you have not participated in the war; you cannot be our partners'. All right; do not take us as partners, and we shall see what happens to you. We do not want to be partners; we wish to be partners if you have the sense to be partners. But having decided not to be partners tell us in good

time that you do not want to become partners. If we are going to be a dominion with right of secession, I think Sir Olaf Caroe understands that that kind of challenge will only end in cleavage; and I hope and trust that those who employ him understand that he has very little sense of his own responsibility when he talks like that in this House. He may afford to do so under the aegis of a constitution of this character but he cannot afford that very long. As I said, the world is out of joint and it will take a long time to put the joints together, if we are to connect the joints in the manner we desire.

Sir, that conference at San Francisco reminds me of what happened with reference to us in the country in which it is going to be held. I very much appreciate the spirit in which the Honourable the Home Member keyed or attuned his speech; not being a musician I cannot use the exact expression. But there is sufficient suavity in all that he says there is in it. He first gave us the arithmetic. He said, 'You vilify the Government of this country by saying that it is a concentration camp. Here are Indians going out in this country and here is my Honourable friend the Leader of the House who wants to say, "In the interest of truth, gentlemen, we as the only truthful people will go out in the world and whenever you make any incorrect statement we will correct it".' That is the business of Government! That is the business of spending my money and that is what he supposes to be his duty! If that is what he conceives to be his duty I think he should quit his place and go out into the world as a critic proper and use his own money for the purpose of telling the truth if he wishes to. And I think it is good to quit when the going is good. The place will become muddy and will be a little more muddy and boggy and probably your feet will stick into it before you go. Therefore, it is good to go when the going is good, as they say. But what I was told was that only 1,500 prisoners were there, and you have the temerity to go into outside countries and call this country a concentration camp. Sir, I hope my Honourable friends who spoke that language understand English language very well and more than English, understand English patriotism, and more than English patriotism, the English idea of freedom. And if they think that the mere fact that a few people are locked in a jail makes a place a concentration camp, I believe they do not understand the true significance of the words 'concentration camp'. Compared to the forty crores of the population of this country, what does it matter, according to him, if there are 1,500 political prisoners? I suppose, if he went, as he must have gone, to many of these matches that are played in England—football matches—and if two or three people died, and I suppose if his mathematics was correct, he would perhaps say 'there were lakhs of people who attended the play, two people died and if you take the proportion, you will find that nobody was scratched and therefore nobody died'. That is his mathematical logic by which he asks me to judge those who are in prison now—the truest democrats of this country. He keeps them in prison and if it had happened in his country, he would call it Nazi methods, but I prefer saying that this is a concentration camp. And then they say 'who is this woman going about this world maligning us, saying that India is a concentration camp'? Has India any freedom? Crores and crores of rupees have been spent for the prosecution of the war notwithstanding the fact that the budget is thrown out—it is certified by the Viceroy—(and is it not spent against my will?), and then he calls it freedom and he prevents me calling it a concentration camp. I dare say, there is complacency that beats me. Of course it is an concentration camp. There are no barbed wires, but it is a concentration camp in so far as that this country has no real, genuine freedom. What is the definition of a concentration camp? Has there got to be a physical change under which you people will go—some day you might, we don't know—but you mean to tell me that it is a physical change that makes a concentration camp? There is no such thing as human freedom, and therefore it is that if any friend of ours, any genuine representative went to that Conference, the first and foremost thing that he will do there will be this: He will first demand that he will not remain there unless and until India was recognised

and declared by Britain by her own free will as an independent country, otherwise his duty will be to walk back.

I am told that great issues will be decided in that Conference, but now let us analyse the issues. I have turned over them in my mind so that I may plainly tell our views on the two great topics so that all the world may know. The world may know that there is nothing to be lost so long as our true representatives as free people are in that place. It is going to be a world security conference—Mr Eden illustrated what he called the objects of that Conference, world security. Mr Churchill's victory message, which was published day-before-yesterday, runs as follows:

'Once the river line is pierced and the crust of German resistance is broken, decisive victory in Europe will be near. May God prosper our arms in the whole adventure after our long struggle for King and country, for dear life and for freedom of mankind'.

For freedom of mankind indeed! Could he ever have said that with his hand on his conscience if he had known, as he knows too well, that we have been made to fight and we have been asked to fight in the name of the freedom of mankind and yet, unless we are recognised as men, I suppose there is no freedom for us? That is the fight for freedom of mankind. We have got to fight the war with our men, money and resources, whose war, and for whose benefit? For the freedom of mankind? Then I am a man, I proclaim myself and I proclaim my country, and I want any one of those gentlemen there to get up and say that I am not a man, that we are not men and we do not deserve freedom. Let us have no shibboleths. Let us be true. I hope the Honourable the Leader of the House will flash a message outside this country that what Mr Churchill is stating is untrue because this is not a fight for the freedom of mankind. Supposing we went and asked the Conference for whose security are you going to make the world peaceful? If you are going to make the world peaceful in order that England and America and Russia and perhaps China—I am very doubtful about that—are going to be free countries, and it is for that you have fought and bled and still ask us to gloat over the victories, we cannot do so, we are honest men, we do not want false compliments. Having made us fight for our freedom, they cannot at the end of it say that it is not a war in which we can get our freedom.

Sir I make no apology whatever, apologies there are many. I would have fought the war. Nawabzada Liaquat Ali Khan has stated the terms on which he offered to co-operate. I wish to remind you of the terms on which we offered to fight and this was only a few months after the war was declared—and I shall repeat it again. We said that the war aims should be declared. And what was the object? The object was to find out whether at the end of the Second War we are going to be exactly in the same place of subjection as we were in at the end of the First War, which was also fought for the freedom of smaller nations. We had that experience before and indeed we were cautious enough to find out where we stood. If you want to fight the war, get money from your own country and fight it, but don't exact it from me and expect me to be proud about it. How could you? That is the position, and therefore it is that if this Victory Message is the victory for your freedom and my subjection, it is a victory message in which, as men, you could not be proud, you could not accept it. Tear your 'V' from your car and from your caps.

The fact remains that the position today is this, that if we went to the San Francisco Conference, we shall only go there as free men, because then our share in fashioning of the world security would be rich. China has come in. You are trying to save China from Japan, and it is a friendly power, you want to fight Japan in order to free China, and when we want to fight you to free ourselves, that is wrong, that question does not arise. Is not this hypocrisy? They shall not go, except for our voice and it will reach there—whatever censorship you may exercise on our speeches it will reach the world—that no representative of this country will go except on the undertaking of

absolute equality and as a member of a free nation. They alone then will be able to take part in a genuine conference for the security of the world peace.

Allow me to say this while this war has yet to end that if you think or imagine that they will keep India in bondage and fight Japan to free China and don't fight their own selfishness to free us, you have not solved the problem. You have not made your task easy. If you want to continue the hypocrisy of this type of Government, then I dare say that it is better that nobody should go. Where is the question of undermining the prestige or position of anybody? It never existed and we shall proclaim to the world that it does not exist. It will be our duty to say that it does not exist. Therefore it is that we are opposed to sending anybody. China is of course a friend. But where do we come in? With our civilisation, with our resources, with all the blood that we shed, with all the money that you exacted from us, where do we come in? Do you think that in this world India is any less than China if it came to the question of getting big nations in order that they may collect together for the security of the world? India has more to contribute than any other country at this Conference. Not merely with men, money and resources, but with that civilisation that still pleads for the goodwill of mankind.

I assure you that not all those king's horses and king's men and not even all the Churchill Tanks will keep the peace of the world very long. If the three powers combine together in order that they may join any army and then keep down anybody else, are we expected to hitch our wagon to that star? No, Sir. Our star is bright and rising and we shall go up the steep ascent and come down. Therefore, it is that so far as the San Francisco Conference is concerned, it is dead as mutton. You may keep it. They may maintain the peace of the world but they will do so at their peril. Look at Asia—the subject part of it, from Teheran eastwards. I hope some day you will look at your geography. It is not a free place. It is a spoil of the western countries. Until Asia is free and India is the pivot of that freedom, and until we find that our houses are our own and that our neighbours have their own houses—Java and Sumatra, Indo-China and the Malay States—however long the fight for freedom may be delayed, we shall proclaim the freedom of the world for all the fellow sufferers like ourselves. Therefore, our message is not a petty thing. Let them have a few planes and a few dinners and sit in their hotels. What have they to tell the world? Nothing. All they say is what their Governor General in Council has given to them. 'Yes, yes', they say, 'we want peace, you keep it and I remain subject! That is very good'. Extraordinary. It is a delusion which requires to be torn up, every inch of and every ounce of it in order that I may make you see. Your eyes have scales, gentlemen, if you cannot see such a thing to tell us, 'Oh, yes, go to the San Francisco Conference. Why not two of you go as advisers'. But whose advisers? Who are they to ask us to be advisers? And therefore, it is, Sir that on the most momentous issue before the House and before the world today I wish to proclaim, I wish to tell what exactly the position of India is so that there may be no doubt as to where we stand because our future depends on that. Our future does not depend when the Conference is over. Our future depends on the actual position of India before the Conference meets, i.e., unless we are free people before that Conference meets. As a matter of fact that Conference is a sham. It is very much like the same farce that was enacted at Geneva. The same thing: 'Oh yes, we and our dependencies is a domestic issue. The only issue is the issue between us and the independent States'. Well, all right, we have been subject races for 150 years and odd. May be, we may remain subject a little longer notwithstanding everything that is happening contrary to our faith. But one thing is certain that we shall not be a subject race very long. Supposing you attempted to do so. The only result will be that there will be another world war in which you will not be there to be anybody's master at all. But you cannot go on fighting. There is such a thing as Nemesis in the history of mankind. Those who attempt to enslave others very soon drag themselves to the position of slaves. Let there be no mistake. As long as Asia and

Africa remain the divided property of the white people, there shall not be peace in this world and therefore it is that when the San Francisco Conference is held, it should be plainly understood that if our freedom issue is not there—and that is the first and foremost issue—we go back home. And if you don't say, that we will compel Great Britain to recognise your freedom and we shall insist on making the world secure, peaceful and honest and not hypocritical, that is not what we shall be a party to. Hence it is necessary that those who now govern should know that going to this Conference and not going to that Conference, and the question of omission or defalcation, and our case going by default, are excuses too childish and puerile. Who is going to judge? Where are rules of justice? Who is there to call in question my right of freedom? I would like any gentleman over there to get up and say that. If there is none, then his proper place is to go away from that place. It is not for him to advise me to accept this and pay a tax for the subjugation of my own people.

Then we come to the next; a smaller issue raised by my Honourable friend, the Leader of the European Group. He said Lord Wavell has gone. I do not know what he has gone there for. And then he said, and I think he meant it that there will be a change in the seating arrangements—whatever that may mean and that each one of those who will be unseated there deserves some appreciation, I would like to believe it to be prophetic!

He said Mr Abdul Qaiyum did not sound a very hopeful note. Well, if we are not very hopeful, it is not our fault. We have been promised times out of number and we have been asked to rely on the sincerity of words and promises but it has just stopped there. It is time now there was a little more sincerity of action. Hence if we doubt a little, it is not with a view to cast any despair. We have no desire to say or prophesy that whatever is offered is not genuine, that it will not be accepted. Why? My Honourable friend Nawabzada Liaquat Ali Khan told you and I am here to say it that if we had been entrusted with the Government of this country and asked to defend our country and also defend those parts of the world in which our country has a stake we would have given that help in no unmeasured terms. My language may not be Nawabzada's but my language is equally clear and has no doubt about it. Anyone can read the speech I delivered in this House when the war budget came up in 1939. That is the time we wanted to test the opinion of this country. There was no need to call a second war budget in the month of October. It was done in the belief that they would persuade the world that India at least was now with them in this war. At that time I made it clear,—and I make it plain again even when the war is going on—that if you make it our job as free people to defend ourselves and to defend those of our brothers in arms who are with us, we still make the same offer. Of course we will not do so as your henchmen. We will not do so in order that we may be subject again. We will not do so in order that some of our friends on the other side may enter into some commitments on our behalf. That we will not do. It may be that in all human affairs things do not right quickly. But I do think myself and I am entitled to think so. What has the war given to this country, notwithstanding the apparent comfort of this House? There is a famine in this country. There is a pestilence in this country. There is a sterilisation of commodities in this country on account of every means adopted by which this country could be drained. Notwithstanding this sorry state of affairs we are expected to pass this. There is one thing that I will say that in the midst of all that gloom, I do not forsake hope at all and I will say this, and even to say that, because I believe it, with the poet:

'Father touch the East

Unlight the light

When hope was born'.

And when that is fulfilled, then alone shall we vote. Sir, I oppose the Bill.



44. Central Assembly Throws Away Finance Bill:

Voting on the Finance Bill

The voting was held on 29 March 1945¹. A.M. Dam, N.M. Joshi and Kailash Behari Lal remained neutral.

Legislative Assembly Debates, 1945, Vol. III, p. 2109; also see *Hindustan Times*, 30 March 1945.

Mr President (The Honourable Sir Abdur Rahim): The question is:

‘That the Bill to give effect to the financial proposals of the Central Government for the year beginning on the 1st day of April 1945, be taken into consideration’.

AYES—50

Ahmad Nawaz Khan, Major Nawab Sir
Ambedkar, The Honourable Dr B.R.
Anthony, Mr Frank R.J.
Azizul Huque, The Honourable Sir M.
Benthall, The Honourable Sir Edward
Bewoor, Sir Gurunath
Bhagchand Soni, Rai Bahadur Sir Seth
Caroe, Sir Olaf
Chandavarkar, Sir Vithal N.
Chapman-Mortimer, Mr T.
Chatterjee, Lt Col Dr J.C.
Daga, Seth Sunder Lall
Dalal, Dr Sir Ratanji Dinshaw
Dalal, The Honourable Sir Ardeshir
Dalpat Singh, Sardar Bahadur Captain
Gwilt, Mr E.L.C.
Habibur Rahman, Khan Bahadur Sheikh
Haidar, Khan Bahadur Shamsuddin
Imam, Mr Saiyid Haidar
Inskip, Mr A.C.
Ismail Alikhan, Kunwer Hajee
James, Sir F.E.
Jawahar Singh, Sardar Bahadur Sardar Sir
Kamaluddin Ahmad, Shams-ul-Ulema
Khare, The Honourable Dr N.B.
Krishnamoorthy, Mr E.S.A.
Kushal Pal Singh, Raja Bahadur
Lawson, Mr C.P.
Mehta, Mr Jamnadas M.
Muazzam Sahib Bahadur, Mr Muhammad
Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami
Mudie, The Honourable Sir Francis
Piare Lal Kureel, Mr
Raisman, The Honourable Sir Jeremy
Ram Chandra, Mr
Richardson, Sir Henry

Roy, The Honourable Sir Asoka
 Shahban, Khan Bahadur Mian Ghulam Kadir Muhammad
 Sheehy, Sir John
 Siva Raj, Rao Bahadur N.
 Spence, Sir George
 Srivastava, The Honourable Sir Jwala Prasad
 Stokes, Mr H.G.
 Sultan Ahmed, The Honourable Sir
 Sundaresan, Mr N.
 Thakur Singh, Capt.
 Trivedi, Mr C.M.
 Tyson, Mr G.W.
 Tyson, Mr J.D.

NOES—58

Abdul Basith Choudhury, Dewan
 Abdul Ghani, Maulvi Muhammad
 Abdul Qaiyum, Mr
 Abdullah, Mr H.M.
 Ahsan, Mr Muhammad
 Ayyanagar, Mr M. Ananthasayanam
 Azhar Ali, Mr Muhammad
 Banerjea, Dr P.N.
 Chettiar, Mr T.S. Avinashilingam
 Chetty, Mr Sami Vencatachelam
 Choudhury, Mr Muhammad Hussain
 Chunder, Mr N.C.
 Dagar, Seth Sheodass
 Das, Mr B.
 Datta, Mr Akil Chandra
 Desai, Mr Bhulabhai J.
 Deshmukh, Mr Govind V.
 Essak Sait, Mr H.A. Sathar H.
 Fazl-i-Haq Piracha, Khan Bahadur Shaikh
 Gauri Shankar Singh, Mr
 Habibar Rahman, Dr
 Hans Raj, Raizada
 Hedge, Sri K.B. Jinaraja
 Hosmani, Mr S.K.
 Ismail Khan, Hajee Chowdhury Muhammad
 Kazmi, Qazi Muhammad Ahmad
 Krishnamachari, Mr T.T.
 Lahiri Chaudhury, Mr D.K.
 Lakhichand, Mr Rajmal
 Lalchand Navalrai, Mr
 Liaquat Ali Khan, Nawabzada Muhammad
 Maitra, Pandit Lakshmi Kanta

Mangal Singh, Sardar
Manu Subedar, Mr
Misra, Pandit Shambhudayal
Murtuza Sahib Bahadur, Maulvi Syed
Naidu, Mr G. Rangiah
Nairang, Syed Ghulam Bhik
Nauman, Mr Muhammad
Neogy, Mr K.C.
Pande, Mr Badri Dutt
Raghubir Narain Singh, Choudhri
Ram Narayan Singh, Mr
Ramayan Prasad, Mr
Ranga, Prof. N.G.
Raza Ali, Sir Syed
Reddiar, Mr K. Sitarama
Sant Singh, Sardar
Satyanarayana Moorthy, Mr A.
Sham Lal, Lala
Siddique Ali Khan, Nawab
Siddiquee, Shaikh Rafuddin Ahmad
Sinha, Mr Satya Narayan
Sri Prakasa, Mr
Srivastava, Mr Hari Sharan Prasad
Subbarayan, Shrimati K. Radha Bai
Yamin Khan, Sir Muhammad
Zafar Ali Khan, Maulana
Zia Uddin Ahmad, Dr Sir
The motion was negatived.

¹ While winding up the debates the Finance Member, Jeremy Raisman said: 'I feel that the procedure of voting down the Finance Bill will shortly become a time-honoured institution like some of the most ancient customs of Parliament'.

45. Encroachments on Freedom of Press to be Resisted

B.G. Horniman's¹ address at a protest meeting in bombay against restriction on freedom of the Press, 28 March 1945.

Bombay Sentinel, 29 March 1945.

It is a flagrant abuse of power provided by an obsolete and lawless law. I for one am not prepared to tolerate any longer this chronic harassment, bullying and penalising of the Press by the Babus of the Secretariat.

We have got to stop it and we can do it if we stand together and adopt the sanctions necessary to put an end to such an intolerable state of affairs. We must adopt a policy of retaliation. I hope this meeting of protest against the action taken in the case of the *Biltz* News Magazine will herald the initiation of a campaign which will not end until this obnoxious act has been wiped off the statute book.

We cannot continue to watch this continual harrowing and harassing of the Press with passive toleration. We have got to do something about it. We can apply sanctions to bring the Government to its senses and we must all stand together in making the Government realise that the Press is a power constituent of the State whose support and assistance is vitally material to the very existence of Government in any civilised country.

We must refuse to be treated any more as potential criminals to be penalised and turned into arch criminals by the *zoolum* of the Executive whenever the entity known by that description takes it into its head to bring these powers under the Press Act into operation and descend on a newspaper without legal processes or trial. Recent judgments of the High Court have shown how recklessly and irresponsibly the provisions of the Act were invoked for the penalisation of newspapers for alleged offences which were usually product of the fevered brains of executive officials.

The case of *Blitz* was another instance of this chronic and recurrent itch in the Secretariat to dragoon the Press, under a law which had no parallel anywhere but in Nazi Germany or Fascist Italy. Most of these laws on the Indian Statute Book were borrowed from the archives of the old Austrian Empire, where administration was a by-word throughout the world for its ruthless and brutal suppression of public liberties.

The extravagant action taken against *Blitz* was aggravated by the fact that the Government had through a responsible officer accepted the Editor's explanation and agreed to end the matter. But one of the Three Furies who sit aloft in the secretariat, surveying the horizon for victims whom they could punish put his blue pencil through the understanding and decreed that the order for deposit of security must stand.

This arbitrary creation of the rule of the bureaucracy should not be allowed to grow. This Press Emergency Act which was passed in 1931 has taken a permanent state of existence in India. An Act embodying such powers absolutely beats me. All the repressive clauses found in all the Governments of the world were lumped together in the Indian Penal Code and included in a measure which empowered the Executive to act without legal process. No Editor or journalist can move his pen independently. How can any journalist be expected to do his day to day work, if that thing is hanging over his head. We have to initiate a strong campaign against such laws in the statute book. I shall stand by you in this challenge to the Home Department of the Government of India. If they are out to fight, we shall also give a fight to the finish. We can give them a complete blackout by ceasing to give them the publicity on which Government practically exists. If we do this we can make the Government come to terms.

We are not going to stand such threats any longer. I want to give a warning to the Government.

Unless we resort to the policy of retaliation we cannot ensure the peaceful and useful existence of a free and unfettered press in this country.

The resolution was adopted unanimously.

¹ Benjamin Gery Horniman (1883–1948), born and raised in England, identified himself with India's struggle for freedom; joined the *Statesman*, Calcutta in 1906 and was appointed Chief Editor of the *Bombay Chronicle* when it was started in 1913 by Pheroza Shah Mehta; editor, *Bombay Sentinel* in early 1945; a veteran Congress Leader.



46. Gandhi's Protest Against Death Sentence for Ashti-Chimur Prisoners and Appeal for People's Action

CWMG, Statement to the Press, 31 March 1945, Vol. 79, p. 335.

1. Gandhi's Protest

If the news is correct that the Ashti and Chimur petition has been rejected, it is disturbing. I am opposed to State hanging in every case, but most so in cases like these. Whatever was done by the people on and after 9th August 1942, was done under excitement. If these hangings are now carried out, it will be cold-blooded, calculated murder and worse, because it will be done ceremoniously and under the name of so-called law.

It will leave behind nothing but a great increase in the already existing woeful bitterness. How I wish that the threatened hangings were given up. They can be if there is the united voice of India against the impending sentences and such other contemplated sentences.

2. Gandhi's Appeal

[Issued before 3 April 1945]

CWMG, Vol. 79, p. 339.

In places where unanimity of public opinion can be recorded and there is no danger of dissent arising, the 3rd of April should be observed as an all-India day by suspension of business as a mark of protest and prayer.

47. People's Response to Gandhi's Appeal

Hartal for Ashti-Chimur Prisoners, Bombay, 2 April 1945.

Bombay Sentinel, 3 April 1945.

Partial hartal was observed in the city, in connection with the Ashti and Chimur prisoners, condemned to death.

It was recently reported that a mercy petition to the King on their behalf was turned down.

Mahatma Gandhi on his arrival in the city, issued a statement against such state hanging. A spate of cables to the King and other authorities were sent by prominent citizens, praying that death sentences might be commuted.

Today was announced as the Ashti and Chimur Day. A number of shops, markets and educational institutions remained closed. The atmosphere in the city was peaceful.

There will be mass demonstration at the Kamgar Maidan this evening under the auspices of the CP¹ and GKU².

The following resolution was passed unanimously at a general body meeting of the KEM Hospital and GS Medical College at 9 a.m. (BT) today, under the presidency of Dr A.V. Baliga, FRCS.

This meeting of the staff and students of the Seth GS Medical College and KEM Hospital register their feeling of horror, indignation and protest at the impending execution of the 7 Chimur-Ashti accused in the teeth of the nation-wide protest and appeals for mercy. Carrying out the executions would only seriously embitter the Indo-British relations.

Even at this late hour, we demand in the name of humanity the immediate commutation of the executions with a life sentence.

An urgent meeting of the Tardeo Taluka Congress Samitee held on Monday, 2nd April, 1945 passed the following resolution:

'That this meeting of the Tardeo Taluka Congress Samitee held on Monday, 2nd April 1945 have learnt with deep regret the shocking news that the mercy petition made on behalf of the Chimur and Ashti prisoners has been rejected by His Majesty the King Emperor. The meeting is of the considered opinion that hanging of these prisoners will amount to cold-blooded murder on the part of the authorities concerned. The meeting further emphatically records that even at this stage it will not be too late to save them from gallows, failing this the meeting begs to apprise the Government that, that action will force the people to condemn Government for this brutal tragedy'.

The Samitee will observe Chimur-Ashti day and office will be closed on 3rd April 1945.

All the offices of the Friends of the Soviet Union will remain closed for the day in order to enable its active members to participate in the prayers and demonstration that are taking place in the city in demand for clemency to the Ashti and Chimur accused who are awaiting the gallows.

Satyapal Dang, General Secretary of All-India Students' Federation, has issued the following statement:

The All-India Student's Federation at its Annual Conference held at the end of December at Calcutta passed a resolution demanding the commutation of death sentences passed on Chimur and Ashti prisoners. Since then, AISF units all over the land have organised joint students' campaigns, in some centres along with Muslim students, to save these young patriots from the gallows.

On this Chimur and Ashti Day, we join our voice with that of all patriotic organisations in demanding the commutation of sentences on the remaining seven of these prisoners.

Mr Abidali Jafferbhoy, President of the BEST Workers' Union writes:

The workers of the BEST Co. Ltd., have decided to suspend work for 10 minutes this evening between 6 and 6.10 p.m. as a protest against the Government decision to hang the seven youths in the Chimur and Ashti case.

An urgent meeting of the Khetwadi Taluka Congress Samitee held on Monday, 2nd April 1945 passed the following resolution:

That this meeting of the Khetwadi Taluka Congress Samitee held on Monday, 2nd April 1945, have learnt with deep regret the shocking news that the mercy petition made on behalf at the Chimur-Ashti Prisoners has been rejected by His Majesty the King Emperor. The meeting is of the considered opinion that hanging of these prisoners will amount to a cold-blooded murder on the part of the authorities concerned. The meeting further emphatically records that even at this stage it is not too late to save them from gallows, failing this the meeting begs to apprise the Government that, that action will force the people to condemn Government for this brutal tragedy.

Hartal at Thana

A hartal was observed today throughout the town as a mark of protest against death sentence on Chimur and Ashti prisoners and the King's rejection of mercy petition.

All schools and shops were closed to-day.

The members and sympathizers of the Bombay Provincial Muslim Majlis will observe Anti-Chimur and Ashti Day today. A meeting will be held at the Muslim Majlis Office, Madanpura, to condemn the death sentence passed on Chimur and Ashti prisoners and to ask for its commutation in these cases. The meeting will be held at 9 p.m.

The members of the Bombay Shroffs (Bankers) Association Ltd. will close their Hundi and other business to-day as a protest against Government's rejection of the universal demand for commutation of the death sentences passed against the 7 Ashti and Chimur prisoners.

The 'F' Ward District Congress Committee and the 6 Taluka Congress Samitees in co-operation with various public institutions of the Ward are convening a representative meeting to-day at

9 p.m. at the Pioneer Middle School Premises, Matunga to express the public condemnation of the impending execution of the Chimur and Ashti Prisoners, Mr J.C. Maitra will preside.

Kanara Mogaveers Students' Union sent a telegram praying commute death sentences on Chimur and Ashti accused.

Karnatak Vidyarthi Samithi sent a telegram praying commute death sentences on Chimur and Ashti accused.

The office of the Indian Merchants' Chamber, will remain closed today on account of the Chimur and Ashti Prisoners' day.

Indian Grain Dealers' Federation has sent the following telegram:

"On behalf of four thousand members of the Indian Grain Dealers' Federation I deplore rejection of mercy-petitions of Chimur-Ashti prisoners by His Majesty and appeal to the Government to reconsider and save precious lives. Members of my Federation unanimously endorse Gandhiji's views that decision to hang them will be considered cold-blooded calculated murder and increase bitterness of feelings. Khimji Madan Bhujpura, President'.

Office of the Federation remained closed today.

¹ CP—The Communist Party of India.

² GKU—Girni Kamgar Union.

48. Nagpur High Court Stays Temporarily the Execution of Ashti-Chimur Prisoners Scheduled on 5 April 1945

Bombay Chronicle, 4 April 1945.

The Nagpur High Court today served a notice on the Government of CP ordering the stay of the execution of the seven prisoners in the Ashti and Chimur cases till a *Habeas Corpus* application filed on their behalf is decided.

The application was filed this afternoon by the Defence Counsel in the case headed by Dr T.J. Kedar, questioning the legality of the detention of the prisoners in jail.

A division bench, consisting of Mr Justice W.R. Puranik and Mr Justice C.B. Hemeon admitted the application in motion hearing and issued notice to the Government for the hearing of the parties.

Application to be Heard Next Week.

The present *Habeas Corpus* application says that the sentence on the seven men were passed by a Special Tribunal which is no longer in existence. The application contends that only that tribunal can direct the sentences to be executed.

Towards the end of the day the Advocate-General appeared before the Bench and requested for a hearing tomorrow. The Judges expressed inability to accede to that request, being occupied in hearing another appeal. The application is expected to be heard next week.

Previously a *Habeas Corpus* application was filed on behalf of the prisoners on the ground that the tribunal had no jurisdictions and that the Ordinance was 'ultra vires'. That was dismissed by the High Court.

Editors of seven Nagpur newspapers have sent the following telegram to the Military Secretary to the Governor:

‘The lives of the remaining seven persons in the Chimur and Ashti cases deserve to be saved. We request postponement of the execution fixed for 5 April pending the result of an application to the Government of India under Section 54 of the Indian Penal Code’.

The Chimur-Ashti Day was observed in Nagpur by a hartal. All shops except a few on Civil Lines suspended business. All newspapers have announced suspension of work for today.—API.

49. Bombay Workers Back up Mercy Demand

Newspaper report on mass rally held at Kamgar Maidan, Parel and the resolution passed.

Bombay Sentinel, 4 April 1945.

The appeal from Mahatma Gandhi asking all Indians to make united demand for the commutation of the death sentences on the seven Ashti and Chimur accused found spontaneous response from the working class of Bombay, a big section of which observed hartal yesterday and held a mass rally at the Kamgar Maidan, Parel and the Girni Kamgar Union, the same evening. The number of mills affected by the hartal was fifty and number of workmen who came out for the day was over 1,50,000.

Workers from mills had come on strike to protest against the death sentences passed on Ashti-Chimur accused. Tramway Workshop at Dadar, the GIP Railway Parel Workshop to a large extent, the Cipla Chemical factory were closed. Throughout the day several group meetings and street corner meetings were held in the Working Class area and a strong protest against the death sentence was recorded.

In the evening a mass rally was held at Kamgar Maidan, Parel, attended by over 15,000 citizens. The rally was held under the joint auspices of the Communist Party Bombay Committee, and the Bombay Girni Kamgar Union. About 500 women were also present; Mr R.K. Bhogale, the President of the Bombay Girni Kamgar Union presided.

Mr D.S. Vaidya, the Secretary of the Bombay Committee of the Communist Party of India moved the following resolution: ‘The resolution condemned the decision of the CP Government to execute the death sentences passed of Ashti and Chimur prisoners in spite of country-wide protest and it further demanded commutation of the death sentences.’

Mr Mohammed Shaheed, the Vice-President of the Bombay Girni Kamgar Union, and Mrs Vimal Ranadive seconded the resolution. Mr B.K. Ranadive, a member of the politbureau of the Communist Party, supported the resolution.

Amidst loud shouts of ‘Commute the death sentences’ the resolution was passed.

50. Chimur and Ashti Incidents:

An Expression of Popular Indignation and Fury

Editorial, *People's War*, 8 April 1945.

The clemency petitions of the Chimur and Ashti accused have been turned down. Seven men now stand face to face with death. Their execution was ordered to take place this week. The Nagpur High Court has stayed it for a week and given time to the people to vigorously get the Government to retrace its steps.

There have been countrywide protests against the death sentences. From many places, Congressmen and Leaguers alike have demanded commutation. Forty members of the Central Assembly have signed a petition for mercy and sent it to the Governor-General. Hundreds of

organisations and prominent men have wired to the Viceroy requesting cancellation of the death penalty.

The City of Bombay observed a big hartal on the 3rd of April to make its protest against the impending execution of the sentences. The textile, railway and tramway workers of Bombay struck work in the thousands and staged one of the biggest protest actions in the history of Bombay. At a huge meeting held at Kamgar Maidan they passed a resolution condemning the death sentence and demanding its commutation.

The strength of public resentment and feeling is unmistakable. Mahatma Gandhi correctly expressed it when he said that the carrying out of the sentences will be an act of cold-blooded murder.

The Government, however, seems determined not to change its course. Perhaps it thinks it has shown enough consideration by commuting the sentences of eight out of the fifteen accused sentence of death. It is, therefore, in no mood to listen to the universal and countrywide protests and demand for clemency.

It will be a political blunder of the first magnitude if the Government carries out its decision. It will mean a deliberate opening of old wounds when negotiations for settlement are going on between the Government and the representatives of the people. There is enough bitterness existing in India, and the Government will only add to it by carrying out its decisions.

Judged by every canon of justice and law, the Chimur and Ashti accused have a claim on clemency. The charges against them arose out of a political upheaval resulting from the sudden arrests of Congress leaders on 9th August. The clashes that took place in Chimur and Ashti on 16th August 1942 resulting in the death of some Government officials were an expression of popular indignation and fury. They were part of the gigantic storm that swept over the country in 1942. It will be an act of savage vindictiveness if individuals are judged without reference to the conditions in the country and the feelings of the people.

There are other circumstances as well which must prevail with a civilized government. Most of the accused are young men, on the threshold of life. In the course of their trial an Indian judge, Mr Puranik, of the Nagpur High Court, found that the evidence against them was not conclusive. The sentence of death was passed against them in 1943. For two long years they have lived under torture and suspense worse than death. Has clemency any meaning if these considerations are not enough to secure a reprieve?

The Ashti and Chimur accused have a special claim on their countrymen. Following the clash on 16th August three hundred British and Indian troops were sent to Chimur under a Deputy Commissioner. Serious allegations were made in connection with the behaviour of the soldiers. Some prominent women of Nagpur who visited Chimur a month later recorded that cases of rape and looting had occurred. The Government denied these allegations, saying that no complaint had been lodged.

It is the sons and brothers of these Chimur women who have undergone extreme suffering and agony who stand face to face with death. They symbolize India's shame, humiliation and suffering. Their mothers and wives appeal to every Indian to save them from the gallows. And they must be saved. And they will be, if people all over India flood the Government with petitions, if Hindus and Muslims alike join hands to assure seven weeping mothers that their sons will be restored to them.



51. Gandhi's Letter to Bhulabhai Desai Regarding Chimur and Ashti Prisoners, 9 April 1945

Bhulabhai's Papers, File No. 8, NMML, See also *CWMG*, Vol. 79, p. 345.

Bhulabhai,

If after all we have tried to do, the prisoners of Chimur are hanged, how can we hope to form a "national" government? This is a question which has been causing me great worry. What then can we expect from this form of government? Do they want to do anything at all only for their own interests? Is there no concern for the welfare of the people? You and I have to consider this matter very carefully. Do consider what can be done while the prisoners are still alive. Try to get something done with the agreement of League. Or else, do what you think fit.

Bapu's Blessings

52. Demand for Immediate Formation of National Government

Muzaffar Ahmed's Presidential Address at Netrakona (Bengal) Conference.

The Ninth Annual Session of All India Kisan Sabha was held at Netrakona, Mymensingh, Bengal (now in Bangladesh), 8 April 1945 (Slightly Abridged).

Amrita Bazar Patrika, 9 April 1945.

The Kisan Sabha demands the immediate formation of a national Government trusted by the people. The Kisan Sabha demands the release of political prisoners. The Kisan Sabha demands unfettered civil liberties in the country. To realise all these demands, unity between the Congress and League has to be achieved. And for that the Kisan Sabha will have to carry on a ceaseless campaign.

The birth of the All-India Kisan Sabha in 1936 is a memorable event. The infant that saw the light of the day at Lucknow in 1936 did not, fortunately, die in his cradle; he is very much alive and kicking, a fact which the enormous congregation before me is witness. It is true, of course, that very great deal needs still to be done, but even the most ruthless enemy of the Kisans will have to recognise that Kisan unity on an all-India plane has been achieved through All-India Kisan Sabha.

The Kisan Sabha has its books and records, its proper register, its rules of organisation and procedure which have necessarily to be observed by the members. The Sabha's all-India membership figure stood on 15 January at 3,29,686. This, of course is nothing to make a song about, when we remember the total peasant population of our country. But when one recalls that the Sabha is only nine years old, the importance of the figure can by no means be under-estimated.

There were many in the Congress, in 1937 and 1938, who used to ask us seriously, what purpose was served by a separate Kisan Sabha. The Congress, they would argue, was as good as the Kisan Sabha, and could very well conduct agitation on behalf of the Kisans and fight for their demands. There were some inside the Congress who have gone so far as to point their accusing finger at us and say that we were, under cover of organising the Kisan Sabha, virtually setting up a rival Congress. Later, of course, these accusations lost their force, and principal Congress leaders like Pandit Jawaharlal Nehru conceded that the peasantry needed their own separate organisation, that is, the Kisan Sabha.

In Bengal, many Muslim Leaguers have raised similar objections. They claim that when the League could very well fight for Kisan rights a separate Kisan Sabha was simply superfluous and that the peasants should rather become members of the League. My answer to these objections is very simple. As in industrial areas trade unions function as the class-organisations of the workers, so in the rural areas have emerged the class-organisation of toilers on the land, the Kisan Sabhas. Workers' unions in industrial areas are united in the organisation of the All-India Trade Unions Congress, and in similar fashion the class-organisations of the peasantry in the village areas have coalesced into the All-Indian Kisan Sabha.

The All-India Kisan Sabha has not grown organisationally as a rival of the Congress or of the League. It has not worked to deplete their strength; on the contrary, in the process of growing as a broad-based mass organisation it has in fact added to their strength. This could not have happened if the Kisans did not require separate organisation. The Kisan Sabha has been born in the struggle against exploitation by the British Government, by landlords and by money-lenders. The 'Permanent Settlement' or the system of landlordism has made us industrially backward, hindered the development of agriculture and subjected the majority of our people to poverty and parasitism. The worker and peasant alone have been able to fight against it, and the strength of the Kisan Sabha has grown in the course of that fight.

Among Congressmen, however, there have emerged a certain number who aim at setting up a rival Kisan Sabha, who refuse to come inside the Sabha and wish to lure the peasants away to a separate organisation. This disruptive effort will have the effect of weakening the Kisan Sabha and of breaking up the unity and strength of the Kisan movement. Those who wish today to form a rival organisation and refuse to come inside to work in co-operation with the All-India Kisan Sabha, allege that the Sabha is dominated by Communists who, they add, push their party policy through the Sabha's mechanism.

Let it not be forgotten that Communists have indeed built up the Kisan Sabha, they work tirelessly to raise the peasant movement to ever higher levels, and as a result they have won the affection and confidence of the Kisans. It is no wonder, then, that Communists form the majority in the leadership of the Kisan Sabha. But can any one point out a single instance—imaginary accusations apart—where Communists have attempted to lead the Kisans in a direction which profits only the Communist Party's interest?

The Kisan Sabha has called on the Kisans to grow more food, to attack and eliminate the black market, to fight for Congress-League unity and win National Government, to agitate for the release of political prisoners, to stand firmly together against the fascist bandits in the event of Japanese attack. Where in all these slogans is a single item to which an honest patriot can object as derogatory to the national interest? Communists wish for nothing else than to make the Kisan Sabha a broad-based mass organisation of the peasantry; they have never wanted nor attempted to exploit the Kisan Sabha platform for advancing policies that had not been unanimously accepted and catered merely to their own party interest.

The Kisan Sabha is opposed neither to the Congress nor the League. The members of the Kisan Sabha can of course enroll themselves in both the Congress and the League. Actually the Kisan Sabha encourages them to do so. There are certain demands which are common to the Kisans as also to all the classes inside the Congress and the League. For such demands the Kisan shall fight in unity with the other classes inside the Congress and the League. Take for instance, the case of India's struggle for freedom. The Kisans stand for the country's freedom as much as any other class. The rights that the Kisans will secure on the morrow of the achievement of independence, only on the strength of those rights the Kisans will be able to free themselves from the oppressions that they have to suffer today, and thereby will be able to bring about a complete change in their

condition of life. With the change of the Kisan's condition will be transformed the face of the entire society since the Kisans form a big section of the society. The Kisans will therefore not only fight for India's freedom, but fight it with their very blood. Therefore, too, they shall join hands with all the other fighters for the country's freedom. Hence the Kisans can and actually do join both the Congress and the League while remaining members of the Kisan Sabha.

Year in year out we are passing through misery and sufferings. First came the ruthless repression and imprisonment of Communist and Kisan Sabha workers since 1940. Then in 1942 the Congress leaders were imprisoned. In its wake came the famine in Bengal. Famine appeared in other parts of the country as well. In Bengal alone, thirty-five lakhs died and another sixty-five lakhs were turned into destitution. The cup of misery was yet to be filled: last year came the epidemics invading all parts of Bengal. For all these the Kisans had to pay the heaviest toll, thousands and lakhs of them perished in the ordeal.

Prices of all commodities soared to unbearable heights during 1942 and 1943. The rise in the price of rice towards the end of 1942 and throughout 1943 did not benefit the Kisan, because he had already sold his own stock. A new set of hoarders never seen before was born, the rice disappeared completely from the market and then came the devastating famine of 1943. Not only many died as a result, but millions lost their property and were thrown out of land. The poor Kisan, artisan and agricultural labourer of Bengal paid the heaviest toll. Not only did they lose their land but their homes as well. What happened in Bengal's countryside could be compared only to the Great Famine of 1776. Of the Provinces where food is grown—Orissa, Rayalaseema in Andhra and also in Malabar—the famine left its mark. In other provinces as well, the poor Kisans were acutely hit by scarcity and soaring prices. Widespread food scarcity was felt in the districts of Bijapur and Konkan or Maharastra and in the Kathiawar side of Gujarat. To a greater or lesser degree, the Kisans all over India were severely hit by the scarcity of cloth, salt, oil and sugar. In the famine-devastated regions, every Kisan did not only become pauperized but also lost his home, his land and even his implements of cultivation. The grower of food became himself a destitute, he had to go to the town in search of a morsel of food, only to die an ignoble death on the stony pavements of the city. In Bengal the number of peasant families having occupancy rights in the land is 60 lakhs. The total population of these 60 lakhs families constitute nearly half of Bengal's population. It is they who used to raise the major share of Bengal's foodcrops. No less than a quarter of these families have totally lost their lands and properties. It is estimated that 15 lakhs of poor peasants, and 15 lakhs of rural artisans (like weavers, fishermen and cobblers) together with 25 thousand poor school-teachers have been left without any shelter. Roughly the picture in the villages is this: the peasants with occupancy rights are completely ruined; the poor peasant has lost his land and has become hired labour on other's land. The lands have become concentrated in the hands of a few 'mahajans'. The rural artisans, particularly the weavers, have fallen into the vicious grip of the merchants. The burden of debts and the agony of starvation have driven the agricultural labourer and the village artisan away from the pale of humanity. Famine did not end all their woes; on top of it came the epidemics. Drained of their vitality due to starvation, they fell easy victims of diseases. Cholera, Kala-azar, Malaria and Scabies spared none. Such is the picture of entire Bengal.

Wherever the famine has left its trail behind, particularly in Bengal, the social life has been shattered and gone to pieces. We could never before imagine that such a thing could ever happen. But let us not lose courage and helplessly feel that nothing could be done. It is for the Kisan Sabha to come forward to mend together what is broken up, to bring back the breath of life where death and disease prevail to-day. The Kisan Sabha has braved all kinds of ordeal, for it is a living organisation. The Kisan Sabha shall have to struggle with its very life to rebuild what is shattered.

With the famine and the epidemics, land has gone out of Kisans hands. The Kisan Sabha will have to struggle to get back those lands for the Kisan. Without land the Kisan can never be rehabilitated. Wherever arable land is available, the landless labourer has to be provided with land. Whatever the law offers has to be secured for the Kisan. Whatever the law fails to provide, has to be fought for and won.

Then comes the case of the village artisans. The weaver has to be given back his loom: also he has to be given yarn and all that he needs. The fisherman has to get back his net and his bait, provision has to be made for other artisans as well so that they may be able to get back to work; whatever raw materials are needed for the purpose have to be secured ... homes have to be rebuilt. To rehabilitate the village artisan is a charge for the Kisan Sabha, for without the rehabilitation of the artisan, the Kisan will not be rehabilitated.

The Kisan Sabha fights for the just prices of the Kisan's produce. The Kisan Sabha does not stand for prohibitive prices for food crops. But at the same time the prices of the Kisan's daily necessities have to be reduced. Let the Government fix the maximum and the minimum rates for the crops. The minimum price that the Government will fix for jute should be the price at which jute is purchased from its actual grower.

The Kisan Sabha will have to fight its hardest against black market. The black marketers are worse than vultures, for the vultures pick the flesh of dead corpses, while these human vultures take the flesh of living humanity. Unless and until this black market is smashed up, society cannot be rehabilitated. The Kisan Sabha will have to strive for the supply of goods at controlled rates to all, particularly to the Kisans. That could not be done without the strictest vigilance upon the black marketers, without making their life intolerable.

Upon the Kisan Sabha falls the responsibility to feed the country. For that, Kisans will have to grow more, and ever more food. Drainage of silted-up rivers and canals has to be undertaken. Fresh lands have to be reclaimed by digging canals or by putting up embankments as the case may be. For the Kisan there is the demand for land, seeds, cattle, manure and plenty of other things. The country cannot be saved with bare hands. To secure all that, we shall have to build up a powerful movement. And for that, the Kisan Sabha will have to join hands with all other parties.

53. Observance of National Week (6–13 April)

(i) Gandhi's Appeal for Observance, Bombay, 31 March 1945.

CWMG, Statement to the Press, Vol. 79, p. 334.

The National Week will be presently on us. We began to observe the Week in 1919. We had the unexpected and spontaneous manifestation of the villagers all over India. Seven days after, Jallianwala Bagh massacre also took place. We have observed this ever since in triple expectation of achieving communal unity, full establishment of *khaddar* and *swaraj*. We seemed to be at one time within an ace of the triple achievement. But today we seem to be very far. I advisedly use the verb 'seem'. The goal ever seems to recede from us but if we have honestly worked for it, it really comes nearer. Anyhow I feel so. We were never nearer the goal than now in spite of our many blunders. It is as well that we remember our blunders and fail to notice the successes lying underneath. Only our blunders must never dishearten us. We must learn to profit by them and correct them. Then every blunder will hearten us, for we shall mount a step higher by unlearning each blunder. Thus it becomes a cleansing process.

Let it be noted that *khaddar* has attained a wider connotation than before. It has become the central sun round which other village industries revolve like so many planets. Moreover it now

represents the fifteen-fold constructive programme. Khaddar itself has after much experience got its proper value and thus received a dignity never before given to it. Everyone is not able, with the introduction by Vinoba of 'tunar' to make his or her 'punis' and spin with ease. The wheel too has undergone radical improvement and the new process of doubling yarn has made it as strong as one could wish for weaving. Would that every lover of freedom of India will remember these things during the Week and bring freedom nearer than even before without parliamentary programme and even civil disobedience unless the Government drive workers to it by talking of India's freedom without meaning it.

(ii) Reports of Observance in Various Parts of the Country: based on *Hindustan Times* 11, 12, 13 and 15 April 1945, *Bombay Chronicle* 5, 10, 12, 14 April and *Amrita Bazar Patrika*, 10 and 12 April 1945.

Cawnpore, 8 April. The National Week celebration organised by the City Congress Representative Assembly opened here on 6 April with the hoisting of national flag at the house of Dr Murari Lal, a local Congress leader. Many people were enrolled as member of Indian National Congress; Charkha Day was celebrated by holding a Charkha Demonstration (*Hindustan Times*, 12 April).

Banares, 8 April. In observance of National Week the flag was hoisted at Kashi Vidyapith by Bir Bal Singh M.K.A. It was attended by a large number of local people and Congress leaders.

Bareilly, 8 April. In observance of National Week, *Charkha* Demonstration will be held here on 13 April.

Farozabad, 8 April. In observance of National Week the tri-colour flag was hoisted at Tilak Bhawan on 6 April. Flags were sold to the public on 7 April. Two primary schools have been opened for the education of Harijans' children. Instruction inspiring is given at the Barh Khadi daily between 1 p.m.-3 p.m.

Firozepore, 8 April. National Week celebration opened here on Sunday (8 April). Baba Lal Singh performed the flag hoisting ceremony in the Gokhale Hall before a large gathering. In the evening Congress workers including Dr Ramji Das Gulati and Banarasi Das cleaned a Harijan Basti.

Amritsar, 10 April. The National Week celebration has started with the opening of a *Charkha* training centre yesterday (9 April). Addressing a meeting on the occasion Seth Radha Krishna, President District Congress Workers Assembly, paid tribute to Jallianwala Bagh martyrs. He also explained the importance of Gandhiji's Constructive Programme. Congress Leaders Arrest Day was observed on 9 April where business in all important commercial centres remained closed. (*Hindustan Times*, 11 April). A *Charkha* competition was held there on 10 April in observance of National Week. A large number of women also participated (*Hindustan Times*, 12 April).

Jullundhar, 8 April. The Executive body of District Congress Workers' Assembly has prepared a crowded programme for the National Week. It includes a spinning competition, popularisation of *Khadi* and inter-community Dinner. It has also been resolved to establish national libraries at 11 centres in the District.

Calcutta, 10 April. The role of the Indian womanhood in the struggle for the freedom of India as partners of their menfolk in the Congress was stressed upon at a meeting held under the auspices of the Congress Sahitya Sangha at the Marwari Chhatra Niwas yesterday afternoon, (Monday, 9 April), in observance of the fourth day of the National Week, Mrs Charu Prova Sen Gupta presiding.

Sjkta. Jyotirmayee Ganguly said that the Indian National Congress had always recognised the place of women in the state. She expressed great satisfaction that at the present time the menfolk had fully recognised the partnership of women and allowed them to work side by side with them.

Mrs Sujata Roy believed that the part played by the Indian women in the political struggle of India was far more significant than the doings of their sisters in other countries.

Mrs Charu Prova Sen Gupta said that the services that the women rendered in preserving the society and the sacrifices made by them should have assured their place as equal partners with their menfolk in the Indian society, even if they did not participate actively in the political movements.

In observance of the National Week yesterday the students of many colleges and schools in Calcutta and the suburbs refrained from attending their classes and organised group meetings where Gandhiji's 14-fold constructive programme was discussed.

The students of City College, who did not attend classes, met under the presidency of Mr Benoy Sen Gupta.

Resolutions demanding the release of national leaders, the legalisation of National Congress and the postponement of execution order on the Ashti and Chimur convicts were passed. After the meeting the student workers collected fund for 'Congress Political Sufferers' fund'.

The students of Ashutosh College held a meeting in observance of the fourth day of the National Week under the presidency of Mr Dhiren Bhowmik.

The students of South Suburban Main and Branch, Padmapukar High School, Tirthapati Institution, Model High School, Jagatbandhu Institution led a joint procession and assembled at Hazra Park in observance of the National Week.

A large body of students of Nara Singh Dutt College, Bantra MSPC School, Ripon, Vivekananda, Dharanidhar, Ramkrishna, Town and other institutions of Howrah and the surrounding locality came out in a procession to observe the fourth day of the National Week and assembled at the Bellilious Park.

To discuss ways and means of carrying out the constructive programme of Mahatma Gandhi and observing the National Week in a befitting manner, the Congress workers of Ward No. 13, met at an informal conference at 30, Surendra Nath Banerjea Road. Mr Srish Chandra Chakrabarty, MLA took the chair and explained to the workers present the necessity of taking up the constructive programme in right earnest.

A discussion on labour movement in India on Gandhian lines' has been arranged today at 7 p.m. by the Congress Sahitya Sangha on the occasion of the National Week at Marwari Chhatra Niwas (150, Chittaranjan Avenue), the venue of the Congress Exhibition opened by the Sangha, Chief speaker will be Dr Mrs Maitreyee Basu.

In observance of the National Week a meeting will be held at the Howrah Town Hall today (Tuesday) at 6 p.m. Sjt Provat Chandra Ganguly will speak on 'Evolution of National Movement in India'.

The North Calcutta Congress Karmi Sangha will hold a discussion on the Basic Education and the Constructive Programme at 40, Kashi Mitra Ghat Street (Mintu Basu's house) at 6 p.m. today (Tuesday). (10 April 1945)

A *Charkha* demonstration will be held at the Tara Sundari Park at 5.30 p.m. today (Tuesday) in connection with the National Week celebration.

Bombay, 12 April. National Week celebration: the Khadi village industries and Khadi-crafts Exhibition running from 6 April to 13 April at Naboo Serdous, Matunga is attracting thousands of peoples. So far 12,000 people visited; Khan Abdul Gaffar Khan visited the exhibition yesterday (13 April).

National Week Arrests, Lucknow, 13 April. In connection with celebration of the National Week in the city Mr Thakar Prasad Saxena and Mr Srikrishna Verma, the members of Representative Assembly of Lucknow Congress, were arrested this morning under DIR 129.

Poona 13 April. Mr V.V. Sathe, a local Congressman was arrested under DIR 129 this evening. Mr Sathe announced the intention of addressing a public meeting without necessary permission.

Tri-colour flag Half-mast—Bombay Friday (13 April) Tuesday being the last day of the National Week, flag salutation at 42 places were held all over the city. The day was observed as the 'Jallianwala Bagh Day' and the significance of the observance was explained at various gatherings. Congress flags were flying half-mast. (BC14 April).

Bombay, 15 April. The Jallianwala Bagh Day was observed on Friday (April 13), the concluding day of the National Week, all over the country with flag hoisting ceremonies, mass meetings, and various other functions. Arrests under the Defence of India rules were made at several places.

Mr Nagindas T. Master, former Mayor of Bombay, and Mr Purushottam Das Tandon, Speaker of the UP Legislative Assembly, participated in the observance.

He referred to the deadlock and opined that it could not be effectively solved until the Working Committee members were released, as none else could deliver the goods.

He expressed faith in the efficacy of the constructive programme and stressed on the necessity of bringing communal unity and removing untouchability.

In Poona, the tri-colour flag over the Khadi and Village Industries Exhibition pandal flew at half mast and the Exhibition was closed for 15 minutes as a mark of respect to the memory of the late President Roosevelt. A flag salutation was held at the Exhibition grounds.

In Rawalpindi, Mr Fazal Hussain Quami, Propaganda Secretary of the Congress Workers' Assembly was arrested on the Defence of India Rules. The arrest is reported to have been made for taking out *prabhat pheri* (*Hindustan Times*, 15 April).

54. No Cause for Any Feeling of Frustration or Pessimism:

Govind Ballabh Pant

Press Interview by G.B. Pant after his release from Naini Central Jail, 10 April 1945.

Hindustan Times, 11 April 1945.

New Delhi, Tuesday, 10 April. 'I am not in the least affected by any sense of frustration or pessimism. My faith in our cherished goal and in its speedy realisation remains unshaken and undiminished', declared Pt Govind Ballabh Pant, member of the Congress Working Committee and former Premier of the UP at a Press Conference this morning.

He looked weak, leaning back on a pillow, but his deep eyes were aglow with faith as he told pressmen in a measured confident tone: 'I have no doubt about the innate strength of the Congress and I am convinced that we will achieve complete independence much sooner than, pardon my saying so, many of you imagine'.

'It is our duty', he added, 'to observe National Week for the 26th time. I hope that stable foundations will be laid for the 15-point constructive programme prescribed by Gandhiji for this week'.

Asked what he thought of those outside jail who had expressed a feeling of frustration, Pantji replied: 'So long as you accept everyone's good faith, let everybody act as he thinks best. Those who have the real Congress spirit should not be caught by a sense of frustration'.

When Press representatives tried to seek light on the reactions of Working Committee members who were in Ahmednagar Jail to the various events in the country during their detention, Pantji told them: 'I am not here to speak for the members of the Working Committee'. Asked what he thought of the formation of the Congress Ministry in the Frontier Province he said, 'I cannot sit in judgment over the NWFP Congress Assembly Party'.

Asked whether ex-premiers would ask to go back to office after the Working Committee members were released Pantji said: 'The question of formation of ministries is a part of the bigger problem. I cannot think of it so long as members of the Working Committee are in prison and some of my fellow members of the UP Legislature are in jail. I am not in a mood to think of it. What I would do if they are out would depend on my consultation with them. I would not make any recommendation myself'.

An interesting question asked was: 'What was your reaction to the meeting between Gandhiji and Mr Jinnah¹' Pantji replied: 'When Mahatma Gandhi takes a step, we try not to be critical even within our own minds, and if we happen to think that we would perhaps have ourselves suggested a different course, we have some doubts about our being in the right. But I am speaking only for myself. I do not propose to say anything on behalf of my colleagues and you must not draw any inference either direct or indirect about their attitude from my remarks'.

Q.: Were you hopeful when the Gandhi-Jinnah talks took place?

A.: I was very hopeful, that was the only thing that sustained me.

Q.: And when it failed?

A.: I was miserable. We all want a settlement, though we may have our own views as to how it should be achieved. But when an attempt made by two most outstanding leaders does not succeed after strenuous labours, it is certainly a tragedy and nobody can but be depressed by such a failure.

Q.: Do you personally approve of the CR formula² for the settlement of the communal problem?

A.: It is nowhere in the field now. What is not a practical problem does not engage my mind. Whatever impression I formed in jail has faded off by now.

When Pantji was asked his opinion about the Sapru Committee's resolution, he repeated the remark he had made in opening the Press Conference that he had no political statement to make because he had been isolated from his countrymen for 32 months and must study controversial topics before forming his opinion on them.

He mentioned in this connection that although the members of the Congress Working Committee had asked for the *Hindustan Times*, the Government refused to supply it.

The newspapers they supplied included *Hindu*, *Amrita Bazar Patrika*, *Tribune*, *Statesman* and *Times of India*.

Asked how the members spent their time in jail, Pantji said they generally engaged themselves in literary pursuits. Most of them wrote material for books, all of them read more books than they ever did out of jail. The Government refused to supply three or four books; otherwise there was a regular supply of reading matter.

Referring to his own release, he said: 'I regret that it should have been necessary to release me on medical grounds. My health was not too good at the time of my arrest and even before that. I had hoped that I would be able to pull through to the end. I came here for my operation and have had to face another disappointment as they refused to apply the knife'.

He further mentioned that most of his colleagues had lost weight. Some of them, such as Sardar Vallabhbhai Patel and Shri Narendra Deo, who were victims of chronic ailments, were still in prison. He had also occasion to see his dear friend, Mr Rafi Ahmed Kidwai, in Naini prison. Mr Kidwai was running temperature daily and had already lost about 25 lb. in weight. Referring to the treatment meted out to Acharya Kripalani and Mr Asaf Ali on their journey to their new prisons, he said: 'Such pinpricks do not seem to me to serve any purpose from anybody's point of view. They cause unnecessary irritation'.

It was announced six weeks ago that the Working Committee members were being transferred to their representative provinces. And yet Maulana Azad, Sardar Patel and Mr Shankarrao Deo

were still in Ahmednagar. Pantji remarked that he was not concerned with the efficiency of the Government, but could say from his personal experience that suspense in such matters meant that a person could not concentrate his mind on anything. 'I do not want time to be wasted in this manner', he added.

When a local correspondent asked what Pantji thought of the Congressmen's decision not to participate in municipal elections in Delhi, Pantji replied: 'I would not be sorry if the Congress kept aloof from such wrangles'.

¹ Held in September 1944.

² A formula drafted by C. Rajagopalachari for the solution of the Hindu-Muslim problem in India. It was based on the principle of self-determination for the Muslim majority areas of India subject to the setting up of some machinery for dealing with the matter of common interest to the whole of India like defence, commerce, etc.

55. Existence of a National Government Necessary for Genuine Representation at the San Francisco Conference: V.S. Srinivasa Sastri *Amrita Bazar Patrika*, 11 April 1945.

Madras, 8 April. All three delegates of the Indian Government have protested in London that they are under no obligation to speak and vote with the British delegation. They may have a separate vote, but whether it can be cast against the British vote is more than doubtful. The leader Sir Ramaswamy Mudaliar says he has received [no] instructions from the Government of India. We know this fact also from Sir Olaf Caroe. Is not the Secretary of State for India the head of the Government of India, and is he not a member of the British Cabinet? The official chain is complete. Our delegates' freedom is imaginary. But the main point is that if there had been a national government, the delegates would be free to voice the popular view on the vital problems at San Francisco. For example, when the question of disarmament comes up, Messrs Gandhi, Nehru and Azad would in all probability advocate universal disarmament and not merely that of the Axis powers. At Dumbarton Oaks the other view prevailed and it is inconceivable that the present Government of India will have left Sir Ramasway Mudaliar free to vote for the disarmament of Britain and America and Russia. But this is only one instance. India would stand for the abolition of the colour bar and the political and economic equality of all nations in the international organisation. The Churchillian Government of Britain is almost certain to take a narrow view and compel the Indian delegation to follow suit. Our objection, though conclusive against non-official advisers, is strong also against the inclusion of non-officials in a delegation led by an official. Only the leader can cast the vote and he certainly will have power to regulate what his followers say at the Conference. India's dignity, her war services, and her future position in the East—all require that her people should choose their own Government at once and that Government should choose its delegation whether at San Francisco or at future Conference.—API.

56. India Must be Immediately Declared an Independent State Editorial, *Tribune*, 15 April 1945.

Say what any one may, the best and safest thing for a Government in a position of the British Government in India is to give effect to proposals in regard to which there exists already the largest measure of agreement in the country, even while it waits, not passively but in a spirit of active sympathy, for the emergence of a similar measure of agreement in regard to other vital matters. Looked at in this light several proposals of the Sapru Committee easily detach themselves

from the rest, and call out for immediate execution. In the forefront of these are its proposals for the release of all political prisoners and detenus and for the issuing of a proclamation by the British Government declaring India 'an independent State equal and in no way inferior to any other Dominion of the British Commonwealth of Nations, even though pending the framing and coming into existence of a new Constitution, the Government of India may have to be conducted in conformity with the provisions of the Act of 1935, subject to minimum necessary modifications'. As regards the first, opinion in India is absolutely unanimous, even the Muslim League, whose attitude was originally either dubious or hostile, having latterly come into line with the rest of India. The independent section of British opinion, too, whether in India itself or in Britain, is in substantial agreement with this view. It is for this reason that there is a general expectation both in this country and in Britain and America, the only countries outside India, where there is at present an organised and vocal opinion on Indian matters, that the wholesale release of political prisoners and detenus generally and of Congress prisoners and detenus and the members of the Congress Working Committee in particular, will either precede or synchronise with the Viceroy's return to this country.

As regards the proposal that India should be treated as a Dominion equal and in no way inferior to any other member of the British Commonwealth of Nations, it cannot have been forgotten that the Secretary of State himself candidly admitted some years ago that differing as they did in other matters, all sections of opinion in India were agreed in desiring and demanding that India should be the mistress of her own house and should be freed from British control. Only recently a distinguished Muslim gentleman, who has never in his life been a member of the Congress or any other nationalist organisation, publicly declared in a speech officially made by him at the Commonwealth Relations Conference that the British Government should confer on India the status of a Dominion. The same demand had been put forward a few months earlier by Sir Sultan Ahmed writing with all the weight of his official authority, though naturally in his individual capacity. The Nationalist Muslims are naturally even stronger and more vigorous in the expression of this view. As regards the Congress, the Hindu Mahasabha, the Liberal Federation and other similar bodies, they have repeatedly either put forward this demand or, as in the case of the first-named body, gone beyond it. The saner and the more independent section of the British press, too, is in full agreement with this demand. Only a few days ago the *New Statesman and Nation*, commenting editorially on the Sapru Committee's proposal, described it as a 'valuable suggestion' and said that a proclamation like that demanded by the Committee 'would be the best evidence we could give of our sincerity'. Even *London Times*, the traditional organ of the governing classes in Britain, has in its latest article on India suggested 'a modification of the present constitution enabling it to be infused with a new and liberal spirit, conferring the substance of Dominion status on India'. The Muslim League itself differs from the general view in this respect only in asking that India should, for the purpose of the declaration, be referred to not as one country or nation, but as two countries and two nations. That is a view which neither the rest of India nor the British Government can ever accept, which both are, indeed, bound ultimately to reject, but it should not in the meantime be beyond the resources of British statesmanship to evolve a formula which, while not accepting the Muslim League view, would not come into direct conflict with it. In any case this is a matter in which admittedly "the largest measure of agreement" exists both in India and abroad. There is, therefore, no conceivable reason why this proposal should not be accepted and acted upon immediately.



57. Freedom the Real Issue

Speeches at Punjab Civil Liberties Union Conference by Saifuddin Kitchlew and Bhulabhai Desai, Lahore, 15 April 1945.

Tribune, 16 April 1945.

'The only issue—the real issue before us at present is the issue of our freedom, if even after this war, the nations, which have been held in subjugation for long, are not going to be liberated and along with them India is not going to be a free and self-governing country, I must say the present war as well would have been fought in vain'. Thus observed Mr Bhulabhai Desai, leader of the Opposition in the Central Assembly while presiding over the Punjab Civil Liberties Union Conference in the Mori Gate gardens where about 20,000 people gathered to hear the Congress leader. For about two hours the huge gathering kept waiting for Mr Desai to come. During his absence, Dr Kitchlew, who inaugurated the conference, presided. The presidentship of the conference changed four times. For Mr Bhulabhai, who presided, left soon after his speech, and Raja Ghazanfar Ali, MLA, Deputy Leader of the Muslim League Party in the Punjab Assembly, occupied the chair. After sometime, however, Raja Ghazanfar Ali had also to go and the chair was then occupied by Mrs Freda Bedi.

Mrs Freda Bedi, in a speech, before the regular proceedings started, referred to certain cases in which civil liberties had been denied to the people. She mentioned how in Phillaur a person was made to stand on one leg for a long time during the day for the 'crime' of being the owner of two donkeys one of whom brayed and the official concerned seemed to have been disturbed.

Dr Kitchlew, who on account of his indifferent health, spoke while seated on a chair, inaugurating the conference said that he would not die before seeing India free, but if that desire of his was not to be fulfilled, he said, then he would die as a soldier in the next struggle for India's freedom which he visualised was in store.

Dr Kitchlew referred to the programme and work of the Civil Liberties Union which, he said, provided a common platform for all irrespective of political creeds.

Referring to the international situation Dr Kitchlew thought that his apprehension was that India would get nothing even after the present war. Freedom, he said, was never bestowed upon anyone by anyone. Freedom had to be wrested from unwilling hands. He revealed how he spurned the offer of a Ministership with the late Lala Harkishan Lal and then again at the inauguration of provincial autonomy.

If they wanted to end Imperialism and if they wanted to achieve freedom, they must produce young men who would be true Hindus and true Muslims and would be prepared to stand up against fanaticism and religiosity.

Orthodoxy had always stood in the way of every revolutionary movement, but he had no doubt that the revolutionary movement had always succeeded. They must not give their ears to those who wanted to divide India or those who would deny to India her birthright of freedom.

Dr Kitchlew questioned the representative character of Sir Feroz Khan Noon and others who had been sent to represent India at the San Francisco Conference. He asked the huge gathering if they considered Sir Feroz Khan to be their representative and the 20,000 persons with one voice repeatedly said 'No! No!'. Dr Kitchlew said, therefore, any decision arrived at the conference by the vote or at the suggestion of such a man as Sir Feroz could not be acceptable to India.

Mr Desai, who received a great ovation as he arrived at the conference pandal and then again as he rose to speak, refused to answer a question which some one wanted to ask him if he had entered into any pact with Nawabzada Liaquat Ali Khan. The Secretary of the Union announced

that Mr Desai was unwilling to answer that question from the platform of the Civil Liberties Union.

Mr Desai said that he was not interested in matters of lesser importance as to what this Provincial Government did or did not do because they were today concerned with much greater issues. He began by dividing his subject into two parts i.e., 'Ourselves vis-à-vis the world' and 'Ourselves vis-à-vis- our own State'.

The war had reached a stage, said Mr Desai, when the question was not that Germany and Japan would be defeated but how would the world emerge out of the war. The war would have been fought in vain if the world after the war had ended remained the same.

Mr Desai referred to President Roosevelt's posthumous speech in which the President had said: 'We must go on and do all in our power to conquer doubts and fears, ignorance and greed, which made this horror possible'. If this meant really anything, said Mr Desai, the war would have been fought in vain if the smaller nations were to remain in subjugation. How would peace be made if they were only to think how to destroy the German industries to make another war impossible? Or would the San Francisco Conference form any army of its own to prevent another war? If that happened and Africa or Burma or for the matter of that other smaller countries were to remain in subjugation, then it would merely mean that the Allies would be co-partners in ruling those countries.

The freedom of the world was the only issue but if the whites were to continue to rule the coloured nations, it would afford no solution of the world problem. With freedom from greed and freedom from doubt, what was equally necessary was freedom from exploitation. There was no doubt that Indians did not want Japan to come and rule over them, but, added Mr Desai, it would be a greater height of humiliation if India was to assist her present masters to continue to have their hold on them.

Continuing, Mr Desai said that if the world to emerge out of the present war was to remain the same the greed of the white races would result in their continuing to rule the coloured races. But President Roosevelt was an honest statesman and Mr Desai hoped that doubts, fear and greed would go and with these would end exploitation.

In view of such crucial issues having been raised, it was but necessary that they in India should create a real unity and if they did not do so they would have lost the last opportunity. There should be no bargainers at such a time.

Liberty, said Mr Desai, was not divisible and without being a free people they could not be free on their own land.

Mr Desai further referred to the treatment which was accorded to India at the time when the Versailles Treaty was signed and he mentioned how India was not allowed to raise the question of her freedom even though she had to pay for the organisation at Geneva and was fifth on the list of the contributors. The Covenant after being signed at Versailles was said to have changed meaning so far as India was concerned. He hoped that this time when they sit for peace they would make freedom—genuine freedom—the basis for all nations. The primary issue and the supreme test of Allies' intention would be whether the dependent nations are freed or they are to be handed over to new Trustees. The definition of Trustees had also changed.

The real issue so far as India was concerned was the issue of her freedom and if China was to be a member of the 'Security organisation', India by virtue of her position should be a member of that organisation, for India had also struggled for her freedom and her claim to freedom was even supreme.

Proceeding, the speaker said that he was more concerned with the freedom of India rather than its form. The freedom from fear, freedom of speech, freedom from want and freedom of

association should, of course, be granted and India should organise herself in order to raise the standard of living of her people. Freedom from exploitation was essential indeed.

Mr Desai said that it was a mis-representation to tell the world that India was opposed to the war but it was true if India was to remain the same subject country. He referred to the offer of co-operation made by the Congress in spite of Gandhiji provided, of course Britain made up her mind to withdraw as rulers and let India govern herself. Of course the Britishers could live here as friends.

Sharing the feelings and anxiety of the people to have their leaders with them, Mr Desai said that he wanted them to be free not tomorrow but today and now. But he pointed out that they should come not in the kind of India from which they were taken away but they should return to India which is self-governing. For, he said, it would hurt their souls to find India still in subjugation when they return.

Concluding, Mr Desai said 'Let us sink all our smaller problems; even sink ideologies; and resolve to fight in a single cause—the cause of India's freedom'.

58. Pakistan: A Dodge and A Farce: Abdul Qaiyum Ansari

Presidential address by Abdul Qaiyum Ansari at the Gorakhpur District Momin Conference during 14 and 15 April 1945.

Leader, 18 April 1945.

Gorakhpur, 16 April. 'Mr Jinnah's reactionary and barren leadership which has misled the Muslims and damaged the cause of the country's freedom by playing the British game stands today thoroughly exposed and discredited. The fall in quick succession of the Muslim League governments in the NWF Province, Assam and Bengal and the fluid state of the League Ministry in Sind, the Punjab long gone out of the Mr Ansari's reach have knocked the bottom out of the Pakistan plan. The League's credit is now fast dwindling and Mr Jinnah's retirement at this critical juncture in the history of the League and the country indicates beyond a shadow of doubt that with all his tall talks about Pakistan, Mr Jinnah cannot prevent the nemesis overtaking the League', thus observed Mr Abdul Qaiyum Ansari, President, Bihar Provincial Momin Jamiat in the course of his presidential address at the Gorakhpur District Momin Conference held at Padrauna on Saturday and Sunday last.

Explaining the aims and objects of the Momin Conference, Mr Ansari declared that the conference stood for the complete independence of a united India and added that the Momins had nothing to do with the League. The conference represented the poor Muslim masses as against the upper classes. The Momins being poor and backward could not see eye to eye with the Muslim League as it consisted mainly of the rich capitalists and the landlords, whose interests were bound to clash with those of the Momins and other poor Muslims. Hence, Mr Ansari emphasised, arose the need for a separate organisation for Momins. The main object of this conference was to unite and organise, on an economic and political basis, the Momins and other functional classes among the Muslims, who, though altogether numbered about fifty millions out of a hundred million Muslims in India, were greatly backward in every walk of life and who, on account of their forced poverty and ignorance, were being subjected to a reverse exploitation and to other kinds of maltreatment at the hands of the so-called upper classes Muslims.

Mr Ansari refuted the charge that the Momin movement was out to create schism and disruption among the solid phalanx of the Muslims at the instance of the enemies of Islam and instead charged the Muslim League and its leaders, Mr Jinnah in particular, of having sown the seeds of

division and disruption among the Muslims of India by needlessly creating a strong feeling of hatred and spite against those who did not owe allegiance to his leadership.

The president vehemently opposed the Pakistan scheme adding that it was a dodge and a farce. He considered that to break the political and economic unity of India would mean the perpetuation of foreign rule in India which would never be to the advantage of the Muslims.

Refuting Mr Jinnah's claim that the Muslim League was the sole representative body of the Indian Muslims, Mr Ansari declared that it was a lie direct on the very face of it because, he emphasised, the Momin Conference, which represented about one-half of the total Muslim population of the country, along with several other influential Muslim organisations, had never accepted this false claim and had always successfully challenged the untrue and misleading assertion of Mr Jinnah. Fall of the League ministries one after the other was sufficient to prove that the League was losing whatever influence it had even in what might be termed as the citadel of Pakistan.

Regarding Mr Bhulabhai Desai's reported pact with Nawabzada Liaquat Ali Khan with a view to solving the political deadlock in the country, Mr Ansari, while welcoming every genuine endeavour to bring about a permanent solution of the communal problem on the basis of national independence, characterised Mr Desai's present move as an attempt merely to placate the Muslim League by ignoring and disregarding the Momin Conference and other Muslim political organisations and parties. Mr Ansari, therefore, warned that any compromise arrived at in such a manner could never be effective and might result in creating an unwanted situation. He, however, advocated the formation of an all-party government at the centre as well as in the provinces as this step would tend to promote national unity and harmony which was what the present situation demanded. Mr Ansari demanded the release forthwith of all Congress leaders so that a proper atmosphere for solving the deadlock might be created.

Speaking on the Sapru Committee proposals, Mr Ansari welcomed them in that they preferred the unity of India to the partition which, he said, would not really solve the communal problem. Mr Ansari said that he stood for the fullest autonomy to the provincial units of the all-India federation, with the right of secession to each federating unit on condition that that right should be used only after a trial of the constitution of a free India for a period of ten years.

Concluding, Mr Ansari appealed to the Momins and Momin Youths in particular to unite under the banner of the Momin Conference and so strengthen their organisation so as to make it an invincible political power in India and asked the Momins to consider no effort and no sacrifice too great to wrest power for the Momin community from the unwilling hands of the usurpers.

59. Establish a National Government and Restore Provincial Autonomy

Editorial, *Tribune*, 17 April 1945.

Two other matters in respect of which there is the largest measure of agreement among politically minded Indians, though not the same unanimity of opinion as in the matter of the release of political prisoners and detenus and of the issuing of a proclamation declaring India to be equal in status and in no way inferior to any other member of the British Commonwealth of Nations, are the restoration of provincial autonomy in the provinces in which the constitution at present stands suspended, and the establishment of a provisional National Government at the Centre responsible to the Legislature and the Electorate, even though its power and responsibility may for the present be somewhat restricted. In the first place, without these essential steps neither the release of political prisoners and detenus nor the issuing of a proclamation assuring India that she will in future be treated as an equal member of the British Commonwealth of Nations would have meaning or

reality. It is no use releasing prisoners and detenus today with the virtual certainty that they or others in their position will again be sent to prisons or detention camps tomorrow.

It is not for the mere fun of it that these men and women sought the rigours of prison life, or the bureaucracy itself incurred the odium of imprisoning persons some of whom are held in the highest respect by Indians of all classes and communities. Each of the two parties acted in the way it did because of an irreconcilable conflict of ideals between them. As Mr Ramsay Macdonald pointed out in his *Government of India*, 'a bureaucracy may be well-intentioned, but it cannot be obedient. It cannot allow if it can prevent it, a determined campaign to be conducted demanding for the people that badge of liberty self-government. That is sedition so soon as it goes beyond the stage of an interesting debate and reaches that of a serious demand'. This inherent conflict is bound to be there as long as the present conditions continue and as long as it is there the wholesale imprisonment and detention of political workers is bound to continue in one form or another. It can only be ended by the establishment of autonomous government in the provinces and at the Centre.

Similarly a proclamation, whether royal or parliamentary, assuring India of equality of treatment would be a horribly unreal thing if, pending the actual establishment of a Dominion Government after the war, steps were not taken immediately to give India the fullest measure of autonomy, both in provincial and in national affairs, consistent with the present conditions. The time is long gone when people could be expected to or could pin their faith to mere promises which have a knack of being forgotten when the circumstances that produced them have disappeared. The people of India have made it clear beyond dispute that they want no more promise, but a measure of actual fulfillment of the promise, both as a token of the British Government's readiness to honour its pledged word and a guarantee that the word shall be honoured. This actual fulfillment can only take the form of the establishment of autonomous Governments in the provinces and of a provisional National Government at the Centre.

Secondly, as regards the first of these steps, opinion is very nearly, if not completely, unanimous. There is dissidence only in one quarter, and that quarter is manifestly out of court in this matter. Assuming for a moment that its demand for the establishment of Pakistan was conceded, it would obviously not be in its power to prevent the establishment of an autonomous government in any of the provinces in which the constitution was suspended in 1942. All of them are provinces with a non-Muslim majority, provinces, moreover, in which the Congress had actually been returned in a decisive majority at the general elections. If the British Government and the Congress or non-Muslim majority in those provinces could now come to an agreed decision to restore provincial autonomy, the fact that the Muslim League does not desire the restoration of provincial autonomy would obviously be no valid argument against it. Nor are some other relevant facts to be overlooked in this connection. Even among the Muslim majority provinces there is at present only one in which the will of the Muslim League has found constitutionally effective expression. In the Punjab the League was never able to establish a Government of its own. It was badly defeated at the last elections, and some months ago when there was a tussle between Mr Jinnah and the present premier the former got the worst of it. In Bengal a League Ministry has been defeated within the last few weeks and while bureaucratic ingenuity has for the moment succeeded in keeping those who inflicted this defeat upon it out of office and power, it is almost certain that if and when normal conditions are restored there will be no choice for the Governor except to give them their due. In Assam the League Ministry has been replaced by a coalition in which the Opposition has as many seats as the League. In the Frontier Province a Congress Ministry has actually replaced a League Ministry. The only province in which the League is functioning in the government is Sind, but its position even there, as every one knows, is precarious, and it will be no matter for surprise

if before long the present ministry is replaced either by a coalition ministry like that of Assam, or what is more probable, a ministry as anti-League as the Allah Bakhsh Ministry was. Nor in any case does it lie in the mouth of the League to oppose the restoration of provincial autonomy in the Congress majority provinces, while striving to establish its own autonomous government wherever it finds it possible to do so. The Governor of the Frontier Province, acting as the agent of the Governor-General and the Secretary of State, did the only constitutionally right thing in asking the Leader of the Congress Party, which had defeated the League Ministry, to form a Government. The other provincial Governors should clearly act in the spirit of the Frontier Governor's action and sound the Leaders of the Congress Party in their respective provinces if they are prepared to form a Government and if they get an affirmative answer as we are certain they will, they should forthwith revoke the proclamation under Section 93 and restore the normal working of the Constitution.

As regards the Central Government the position, which is constitutionally equally simple, has been somewhat complicated both by the reported agreement between the Leader of the Congress Party and the Deputy Leader of the Muslim League Party and by detailed recommendations of the Sapru Committee. In our opinion the basis of both the agreement and the recommendations is fallacious. A National Government at the Centre is universally desired in India, except that the Muslim League wants not one but two Central Governments. But if two Central Governments must be ruled out as at once impracticable and positively dangerous, the one Central Government must naturally represent the largest common measure of agreement in the country. Need we say that only a non-communal government responsible to the Legislature and the electorate can fulfill this essential condition? A communal government in which political power and authority lies in the hands of a statutory communal majority can only satisfy the majority community and can never satisfy all or any of the minority communities whom it would naturally reduce to the position of political serfs. On the other hand, a communal government, in which the majority community is statutorily deprived of its majority and deliberately reduced to a position of inferiority or even equality to another community which has less than half its population strength, would obviously be monstrously unjust to the majority community and wholly unacceptable to them. It would be equally unacceptable to the other minority communities, even though some of them might lay the flattering function to their soul that it would place the balance of power in their hands. It could moreover, under no circumstances be a strong and stable Government and would sow the seeds of a system of widespread political and moral corruption. The only right thing would clearly be to take steps to form political and non-communal parties in the Legislature and place the responsibility of government in the hands of a ministry formed by one or more of these parties that either singly or in combination commanded the confidence of a stable majority in the Legislature. The majority in this case would naturally be a changeable majority, and a party in a minority today might hope to be in a majority tomorrow. This, as every one knows, is the hope that inspires all minorities in democratically constituted Legislatures and prevents them either from giving way to despair or from resorting to unconstitutional action for the fulfillment of their legitimate desires and aspirations. The Muslim League and other bodies have only to get rid of their present preconceptions and prejudices to see that this is the only solution of the constitutional problem in India as it has been found to be the only solution of the problem in other democratically governed countries. In any case, there is not the smallest doubt that a Government so constituted would command the confidence of the large majority of the people of India. That one fact should decide the issue.



60. India's Freedom an Indispensable Preliminary to Peace

Gandhi's statement to the press on the San Francisco Conference, Bombay, 17 April 1945.

CWMG, Vol. 79, p. 389.

Though I know that silence is better than the spoken or written word, there are well-defined limitations to the application of the maxim. The San Francisco Conference is announced to meet shortly.¹ I do not know its agenda. Probably no outsider knows it. Whatever it may be, the Conference will have much to do with the world-to-be after the so-called end of the war. I very much fear that behind the structure of world security sought to be raised lurk mistrust and fear which breed war. Therefore, as a lifelong believer in peace as against war, it seems well for me to record my convictions in the matter.

I reiterate my conviction that there will be no peace for the Allies or the world unless they shed their belief in the efficacy of war and its accompanying terrible deception and fraud and are determined to hammer out real peace based on freedom and equality of all races and nations. Exploitation and domination of one nation over another can have no place in a world striving to put an end to all wars. It is only in such a world that the militarily weaker nations will be free from the fear of intimidation or exploitation.

(1) An indispensable preliminary to peace is the complete freedom of India from all foreign control, not merely because it is a classic example of imperialist domination but specially because it is a big, ancient and cultured country which has fought for its freedom since 1920 deliberately with Truth and Non-violence as its only weapon.

Though the Indian soldier has fought not for India's freedom, he has shown during this war as never before that he is at least an equal to the best in his fighting qualities. I cite this to answer the charge that India's peaceful struggle is due to its lack of soldierly quality. The inevitable deduction that is drawn from this is that non-violence of the strong is infinitely braver than their violence. That India may not yet have evolved such non-violence is another matter. If it is the case, it does not detract from the statement that it has battled non-violently for freedom and that not without considerable success.

(2) Freedom of India will demonstrate to all the exploited races of the earth that their freedom is very near and that in no case will they henceforth be exploited.

(3) Peace must be just. In order to be that, it must neither be punitive nor vindictive. Germany and Japan should not be humiliated. The strong are never vindictive. Therefore, fruits of peace must be equally shared. The effort then will be to turn them into friends. The Allies can prove their democracy by no other means.

(4) It follows from the foregoing that there will be no armed peace imposed upon the forcibly disarmed. All will be disarmed. There will be an international police force to enforce the lightest terms of peace. Even this retention of an international police will be a concession to human weakness, not by any means an emblem of peace.

If these foregoing essentials of peace are accepted, it follows that the camouflage of Indian representation through Indians nominated by British imperialism should be dropped.² Such representation will be worse than no representation. Either India at San Francisco is represented by an elected representative or not represented at all.

The following from the Congress resolution of 8 August 1942 shows clearly what free India stands for:

While the AICC must primarily be concerned with the independence and defence of India in this hour of danger, the committee is of opinion that the future peace, security and ordered progress of the world demand a world federation of free nations, and on no other basis can the problems of

the modern world be solved. Such a world federation would ensure the freedom of its constituent nations, the prevention of aggression and exploitation by one nation over another, the protection of national minorities, the advancement of all backward areas and peoples, and the pooling of the world's resources for the common good of all. On the establishment of such a world federation, disarmament would be practicable in all countries; national armies, navies and air forces would no longer be necessary, and a world federal defence force would keep the world peace and prevent aggression. An independent India would gladly join such a world federation and cooperate on an equal basis with other countries in the solution of international problems.

Thus the demand for Indian Independence is in no way selfish. Its nationalism spells internationalism.

¹ The Conference was convened on 25 April and concluded on 26 June when the Charter of the United Nations was finally adopted.

² The British Government had nominated A. Ramaswamy Mudaliar, Firoz Khan Noon and V.T. Krishnamachari to represent India at the Conference.

61. No Peace Without India's Freedom

Speeches at the North-West Frontier Political Conference, 21 April 1945.

Amrita Bazar Patrika, 24 April 1945.

Peshawar, 21 April. The first All-Frontier Political Conference since August 1942 opened in Peshawar today within one month of the assumption of office by the Congress in the NWFP Dr Syed Mahmud, former member of the Congress Working Committee, presided.

Shabibagh—the historic Mughal Garden—where the Conference assembles, is humming with activity. Its wide expansive lawns have been turned into a little town of tents and shamianas. Large number of Red Shirts in their strikingly red uniforms hailing from different parts of the province are in control of 'Fakhre Afghan Nagar', the venue of the Conference, which has been named after Khan Abdul Ghaffar Khan.

Among the large number of delegates and visitors nearly 100 delegates are from tribal belts belonging to Afridis, Mohamands, Shinwaris and Mullaghoris. Women guests and visitors are housed within a separate enclosure behind the platform.

Dr Syed Mahmud presiding over the Conference said that he was sure that Dr Khan Sahib had formed the Ministry to serve the poor *kisans* and *mazdoors* of the Frontier Province and not for the love of any Ministry itself. He was a brave man. Ministry was not a big thing for the Congress and the moment he realised that he could not serve his people he would leave it at once.

His very first action was to launch a fight against corruption. Dr Mahmud paid a tribute to the leadership of Khan Abdul Ghaffar Khan and said that the Frontier people under his great and selfless leadership had played a glorious part in freedom's battle and had written an epic in the non-violent struggle. He said that the Frontier people had always been in the vanguard of the struggle for freedom and when it came they will be its defenders too.

Dr Syed Mahmud said that Hindus and Muslims cannot be two nations for, several centuries past they had developed great social and cultural contact. Efforts had been made to divide them, but now proofs were coming to show that under Mughal rulers Hindus and Muslims lived very amicably.

He referred to Lord Wavell's mission to London and hoped that he had not gone on a pleasure trip or to consider the fate of post-war Germany. He said that it would be greatest blunder on the part of Lord Wavell and other British statesmen if they did not settle India's question to the

satisfaction of Indians. India was bound to be free. If India were not freed then the seeds of another war will already have been laid in the midst of the present one. He referred to the events of 1942 and said that those who thought that the Congress was weakened or dead through repression were living in a fool's paradise. He added that the Congress was very much alive and kicking. Khan Abdul Ghaffar Khan addressing a mass rally of about 1,000 Red Shirts said that as God's army they must have greater discipline than even a king's army.

Khan Aligul Khan, President of the Frontier Congress Committee and Chairman of the Reception Committee, welcoming the delegates said: 'Since the days of the Rowlatt Act and Civil-Disobedience movement, we have identified ourselves whole-heartedly with India's struggle for freedom and we are bound to the Indian National Congress by indissoluble ties. It alone came to our help in 1930 when Muslim leaders in the rest of the country were indifferent and cold towards us'.

Deploring the continuous detention of the Maulana Abul Kalam Azad, Pandit Nehru and other Congress leaders, Khan Aligul Khan declared that the British Government had installed their own lackeys in office in the absence of the real representatives of the people and thereby tried to prove that Frontier people are with the Muslim League.

'It surprised us most to see the Muslim Leaguers gloating over this under the magic wand of Britishers', he said 'and raising the slogan of Pakistan. But it became clear to the people that the Leaguers were in the Ministerial office only to serve the British and their selfish interests'.

Khan Aligul Khan agreed with the Pakistan slogan of the Muslim League, but he asserted that Pakistan to him meant freedom and purity of the country from foreign domination for which they had pledged their lives.

'We shall be free sooner than many imagine,' said Mr Bhulabhai Desai, leader of the Congress Party in the Central Assembly while performing the flag-hoisting ceremony at the Frontier Political Conference this evening before a huge gathering, including about 1,000 Red Shirt volunteers.

Mr Desai said that there could be no peace in the world in which one part was dominated by the other. The yoke of foreign domination must be thrown away, he added.

The tri-colour flag was the symbol of freedom and it must be kept aloft. During the last war people right from Mahatma Gandhi up to humble men like himself, he said, helped the British but he found all the promises made then were broken. 'Those who break promises will be answerable before God,' he said. He defended the Congress policy towards war and said that he was certain that India would be free under the tri-colour flag.

Mr Desai referred to the assumption of office by the Congress in the Frontier Province and said that what happened in this province by way of release from corrupt administration was an earnest of the general freedom to come.

62. Hunger Strike in Bhagalpur Camp Jail:

Shri Krishna Sinha's Statement

Amrita Bazar Patrika, 27 April 1945.

Babu Shri Krishna Sinha has issued a statement, in the course of which he says:

Once again news comes that there is hunger-strike in the Bhagalpur Camp Jail¹. It is said that till about the other day number of hunger-strikers was about a hundred. The political prisoners were kept locked up in their barracks during the National Week and as they were not afforded proper facilities for bath and other necessary things they refused to take food during the period of the lock-up. It is said that most of those gentlemen gave up hunger-strike after the National Week had passed and the immediate cause of their hunger-strike was over.

But some of them are still said to be on hunger-strike and that for two reasons. We know that only the other day there was a long continued hunger-strike in that jail and it was given up only when hopes were held out that the grievances of hunger-strikers would be enquired into and the just ones remedied. It is said that many of the grievances still remain unredressed. The other reason is said to be that at the beginning of this month some political prisoners, in the course of their removal from one barrack to another, were subjected to indignities. They demanded facilities for representing their case to the proper authorities, but these were refused. Thus when they found that some of the old grievances still remained unredressed and the new ones were not being looked into, they were compelled to have recourse to this last weapon in their hands.

It is time the Government looked carefully into the matter and removed the just grievances of those persons. There is no reason why some of the old grievances should still remain unredressed after so long. I would only like to impress upon Government the necessity of promptly redressing the jail grievances. I know that so long as we remain in the prevailing unnatural political conditions, those in authority will put men in the jails for offences of a political nature and those, who aspire to be free, need not quarrel with them for so doing. But even these men have a right to expect that while in jails they will be properly treated and facilities will be given to them for the protection of those rights, which, even as prisoners, they enjoy under laws and rules. May I ask the Government if those in charge of the Bhagalpur Camp Jail acted rightly and according to the provisions of the Jail Code in refusing facilities to the prisoners concerned to represent their case to the proper authorities?

Mr Sinha has made an appeal to those friends also who are undergoing hunger-strike and says, 'from personal experience I know how helpless sometimes and how difficult it then becomes to act with restraint. In spite of this, I would only like to tell them that their life is a great asset to the nation. They are brave and honourable men and in a free India, they will be asked to join in the vast constructive effort, which will then have to be undertaken for the uplift of the downtrodden millions. Such being the case, I would request them to give up their hunger-strike.'

¹ The hunger-strike in Bhagalpur Camp Jail started on 6 April 1945 and continued till 21 April 1945.

63. Protest Against Ban on Maharashtra Congress President's Entry into Satara

People's War, 6 May 1945.

Sjt N.V. Gadgil, President of the Maharashtra Provincial Congress Committee, has been served with a notice banning his entry into the Satara District (Maharashtra) without special permission from the District Magistrate.

This is a sequel to statement issued by Sjt Gagdil¹ in connection with public complaints about recent police excesses in the Satara District.² The statement was based on personal investigations made by the Provincial Congress Chief in the course of a short tour.

In the period following the arrest of Congress leaders in August 1942, Satara had become the scene of widespread sabotage activities. The appeal made by Gandhiji after his release³ had not much effect on the underground workers there, a very large section of them decided according to *Lokashakti*, the leading Congress daily of Maharashtra, to reject Gandhiji's advice.

Since March this year, a special police force has been stationed in the three taluks and about fifteen new police stations have been established. It has become a common practice for large police parties, some time numbering 500, to surround individual villages or groups of villages and

pounce on them at midnight for the ostensible purpose of apprehending the underground workers, against several of whom warrants have been issued.

Allegations of undue harassment of innocent villagers and 'third degree' methods as used in the course of police inquiry have been openly made. It was to investigate these Sjt Gadgil had paid a preliminary visit to the district, to be followed by a more detailed inquiry.

A delegation of Marathi journalists including Mr Sane, the Secretary of the Marathi Journalist Conference, also conducted an independent inquiry, and on the basis of it issued a joint statement, in course of which they said:

We have sufficient evidence to state that the police have launched, on a very wide scale of general policy of persecution and terrorization in this part.

The special correspondent of the *Lokashakti* says that the raiding police parties drag to the village 'Chawdi' every adult inhabitant from every cottage in the village and use special methods of beating to get statements from them. One of these methods is as follows:

The thick sole of an ordinary chappal, about 10 inches long, is taken out, and it is made thicker at the two ends with more pieces of leather. The victim is stripped naked, two policemen hold the victims securely, two others fix him to the ground by pressing his feet with their own feet, and then another policeman—some times the sub-inspector himself—rains blows on the victims's buttocks with the specially prepared weapons. Salt water is poured on the smarting wounds from time to time.

About sixty persons from eight to ten villages told the journalists that they had received this treatment.

The poor woman-folk too are not spared. At a village called Tambve the police broke into the house of a woman, and the officer, who led the party gave four or five blows on her arm with his club. She has a certificate from the Local Board Hospital testifying to her injuries. Some more women in this house also received kicks or blows from the police.

At Chaphal, a police officer summoned a villager before him and forced him to swallow a lump of earth. The story was narrated to special correspondent of the *Kesari* by the peasant himself.

There is no doubt that the police are using their search for the political absconders as a handy pretext for spreading terror in the country side. What else can be the meaning of the ban imposed on Sjt N.V. Gadgil? Sjt Gadgil, it is well known, is no supporter of sabotage. In fact, in the statement that he issued after his short tour in Satara, he specifically advised the underground workers to change their methods. These were his words:

Congress workers must walk in the open and without any fear. This alone will spell the success of the constructive programme.

Had Sjt Gadgil been allowed to carry out his plan of an extensive tour in the district, he would certainly have succeeded in restoring normal life there. But obviously that is not what the bureaucrats' desire.

¹ The Statement has been issued by N.V. Gadgil on 1 May 1945.

² The documents on people's movement against the Government in Satara District, Bombay Presidency, where during the year 1945 a parallel administration ran in certain quarters, are placed in chapter 6 under caption, 'Patri Sarkar: Quit India movement continued in Satara'.

³ Gandhi issued the appeal in July 1944.



64. National Government: An Economic Necessity

Sardar Mangal Singh's Presidential address at Frontier Akali Conference, Peshawar, 5 May 1945, (slightly abridged).

Hindustan Times, 7 May 1945.

An all-party interim Government at New Delhi is not only the immediate political requirement but is an urgent economic necessity so as to effectively plan the post-war life of the country. The present Government of India cannot undertake even the ABC of planning, which is an utter impossibility without popular support. The recent announcement from New Delhi to take over the control of certain industries by the Government sounds like going back to the days of the East India Company. Only a National Government can take such steps and carry out the plan for national reconstruction.

To take suitable steps to set up such a popular Government at New Delhi, therefore, is a question which should receive the first priority at the hands of both the political parties and His Majesty's Government, who alone can take the initiative in this matter. The Indian political parties instead of blaming each other, should put their hands together and hammer out a satisfactory communal settlement which is undoubtedly their responsibility. The Sikhs will, I am sure, make their due contribution to such an effort.

The great obstacle in the way of a mutual understanding is the fear entertained by the minorities of a communal domination by the one or the other community. It should therefore be laid down that no single community should be allowed to enjoy a statutory communal majority either at New Delhi or at Lahore, so that the administration of the country may be shared by all communities.

In this connection, the proposal of the Sapru Committee regarding the make-up of the Central Government should be welcomed and a similar formula should be applied at Lahore and the government of the Punjab should be equally shared by all the three communities and the offices of Premier, Deputy Premier and Speaker should be held by the three communities by rotation.

As for the protection of the rights of smaller minorities in other provinces, a uniform formula should be laid down which should equally apply to all communities all over India.

The Shiromani Akali Dal is a revolutionary political organisation of the Sikhs who have always worked hand in hand with the Congress during the last quarter of a century. The Akalis participated in the fight for freedom. At the same time as leaders of the Sikhs, they have safeguarded their political and religious rights under circumstances where aggressive communalism reigns supreme.

I beg of my co-patriots to appreciate our position. I would venture to suggest that the Shiromani Akali Dal should, as before, be permitted to run its own candidates in the elections of the legislative assemblies on the understanding that, barring matters pertaining exclusively to the Sikhs, the Sikh members will always co-operate with the Congress in general political matters.

Both in 1934 and 1937, elections to the Central and provincial legislatures were held more or less on these lines and the arrangement worked satisfactorily. The same arrangement should be continued in the future. Sikhs regard it as a most vital matter and would not be prepared to surrender it to any other non-Sikh agency.



65. 'India: Acid Test of Allied Powers' Sincerity'

Syama Prasad Mookerjee's speech at the 'Independence Day'¹ Meeting, Calcutta, 10 May 1945.

Leader, 12 May 1945.

The crushing defeat of Germany and Italy, following the heroic struggle that went on for the last five years and a half, is the unique event in the history of world. We have all along condemned the basic principle of Nazism and Fascism as total destruction of the highest development of the human mind. We feel proud to think that in the destruction of this grave menace to world stability, the valour and sacrifice of Indians played no inconsiderable part in historic battles in every important centre of the world.

What India asks today is, will the blood and sacrifice of Indians lead to the liberation of their own beloved Motherland and mark the end of an inglorious record of her ruthless exploitation?

The Allied Powers stand on their trial today. The future world order must be based on the recognition of the right of each country, however small and weak, to be freed completely from the domination and hands of exploitation by bigger nations. If Germany and Italy committed crimes by occupying territories other than their own, if Japan is criminal for the same reason in respect of territories in the Far East, what right can Britain have to continue their hold on India against the will of the people themselves?

India therefore is the acid test of the sincerity of the Allied Powers as regards the aims and purposes for which this world war has been fought.

¹ The Working Committee of All India Hindu Mahasabha at its meeting held on 26 April 1945 had decided to observe 10 May 1945 as the 'Independence Day'. The meeting was addressed by all-India leaders of Hindu Mahasabha and was presided over by N.C. Chatterjee, Vice-President of All India Hindu Mahasabha.

66. 'Be Prepared for Struggle': B.S. Moonje

Speech at the public meeting organised in Calcutta in connection with celebration of Independence Day by Hindu Mahasabha on 10 May 1945.

Leader, 12 May 1945.

Dr B.S. Moonje, addressing the meeting, said that if they wanted Swaraj they must be prepared for struggle. Independence could not be had without a struggle. The speaker condemned the Sapru Report and said that the constitution of India should be based on complete and unalloyed democracy. Hindus, he said, were born a majority and would remain a majority in India. The Hindu Mahasabha pledge was then read from the chair and adopted.

A resolution was adopted at the meeting reasserting the firm determination of the Hindus of Hindustan to continue the battle of freedom on the basis of the principles and policy of the All-India Hindu Mahasabha.



67. Azad Disapproves of Agitation for His Release

Azad's letter to his nephew Nooruddin Ahmed.

Bombay Chronicle, 11 May 1945.

'One thing that I should like all my friends and relatives to bear in mind is that while in imprisonment nothing from outside disturbs me so much as the agitation for my release on grounds of ill-health. Even the very thought of such a release makes me feel disgusted.

I fully realise your anxiety to see me. But I want you to keep on abiding by my decision in this matter. When the Government, after having maintained a peculiar attitude for two-and-a-half years, had allowed us interview facilities, I having considered all aspects of the matter, decided not to avail myself of these facilities. I have quite clearly acquainted the Viceroy also of my decision in the course of my correspondence with him on the subject. That decision of mine remains unchanged. Have the same heart as I have and do not insist on anything against my declared decision'.

68. Peace Not Possible Without Freedom

Resolution by All-India Women's Conference, Surat, 11 May 1945.

Bombay Chronicle, 12 May 1945.

The All-India Women's Conference expresses its relief at the prospect of a speedy end to the war and hopes that this will lead to an early peace. It would, however, point out that a termination of the war will not necessarily usher in peace, unless it leads to the liberation of all enslaved countries, including India. A real and lasting peace can only be based on freedom, equality and justice for all. Therefore, the question of colonies cannot be the private concern of the ruling countries nor can India be the domestic concern of the British Government and, in fact, it is the crucial international test of the sincerity of the professed war aims of the United Nations, namely the liberation of the peoples of the world.

The time has come for the women of all lands, standing as they do for peace and freedom, to see that these principles are put into immediate action, and in particular, the women of England, America and the Soviet Union have special responsibility in seeking the fulfillment of these principles.

69. The Indian Question Has a Vital Bearing on Future World Order

Kamala Devi Chattopadhyay's letter to Corbett Ashby, President, International Alliance of Women, 11 May 1945.

Bombay Chronicle, 12 May 1945.

The women of India feel very keenly about India's present national and international status and her continued national subjection that prevents her from playing her rightful role in the international field. With the growing distress in the country, Indian women have become even more alive to this question. The continued detention of our national leaders and many valuable national workers, the indefinite prolongation of a dictatorial regime which has brought so much starvation and misery to millions of our people through incompetence and want of popular confidence, the complete suppression of civil liberties and wanton disregard of public feeling and sentiment, make us seriously question the possibility of any radical change in the British policy now or even in the distant future.

The Indian question is not a mere domestic one, as some British statesmen insist. It is one that has a direct and vital bearing on the entire future order of the world. Will the Alliance enunciate a definite policy clarifying this all-important question of empires and colonies, especially in relation to the subject peoples of Asia, and India in particular, as India is practically the hub round which the rest of the colonial system resolves?

Indian women are of the opinion that it is the duty of every national and international organisation of women to throw its full weight in favour of instituting a world order in which political and economic domination of one people over another will find no place. The AIWC feels that so long as India continues to be a subject country, she will be compelled to occupy a subordinate position in the world and Indian women will not be able to make their real contribution to the coming world reconstruction. Our experience in the past and current happenings at international conferences convince us that it is becoming increasingly difficult for us to continue in any international body on those terms without impairing our self-respect and appreciate the significance of this issue and take a stand on it, which will be in keeping with our national respect and dignity. If this war is really meant to liberate the subject peoples, then the aims must be wide enough to include countries like India.

70. Sovereign Status for India a Must for a New World Order: Liberal Leaders' Statement, Madras

Joint statement issued by V.S. Srinivasa Sastri, N. Gopalaswami Iyengar, Alladi Krishnaswami Aiyar, T.R. Venkatarama Sastri, Kasturi Srinivasan, P. Subbarayan, Radhabai Subbarayan, S. Guruswami and Mr N.D. Varadachari, Leaders of the National Liberal Federation, Madras, 11 May 1945.

Statesman, 14 May 1945.

The whole fabric of the world organisation, for which a charter is being prepared at San Francisco, depends on the maintenance of the sovereign equality of the peace-loving States which will be members of it. Otherwise, the organisation is in danger of being so manipulated as to serve as a machinery for securing and perpetuating the domination of the stronger over the weaker States. The world cannot afford to repeat under this organisation the sorry experience it has had under the constitution and machinery of the League of Nations.

If the proposed organisation is going merely to do lip service to the principle of sovereign equality and is not to contain adequate provisions for implementing and maintaining this principle in the case of its member-States, including those who do not, in fact, now possess this status, its establishment will make no difference to the future of the world so far as the elimination of injustice and the avoidance of war between nations are concerned.

The issue raised by the above considerations is so overwhelmingly important that we have considered it necessary to formulate certain proposals for making the world organisation a really efficient instrument for the maintenance of international peace.

We maintain that, by reason of her being a free and equal member of the United Nations, which are rearing the edifice of a world organisation for the maintenance of international peace, India is entitled to seek the assistance of the organisation to remove any impediments which may stand in the way of her full enjoyment, in fact, of her sovereignty and consequently of her equality with other members of the organisation.

That such an impediment now exists is notorious. The exercise of British Parliamentary sovereignty over India is based entirely on a parliamentary status which reserves vital powers to

the British Crown and Cabinet, powers so vital in character as to make the Indian Government no more than a mere puppet.

The proposals that we have now made would, if accepted, enable us to move the General Assembly of the world organisation to ask the World Court to adjudicate between Great Britain and ourselves on this fundamental issue of sovereignty, and if the decision on this issue upholds our contention, to give directions to Britain as to the steps she would take immediately for effectuating in the case of India the basic principle of the world charter, viz. the achievement and maintenance of the sovereignty of all peace-loving States.

Our efforts to come to a settlement with Britain by mutual negotiation have been met with condescension and contempt and the so called reforms, conceded from time to time under necessity, have been only in the field of administration and not in that of sovereignty.

The suggestion has been made by leaders of different parties in India that the time has come when the Indo-British question should be submitted for the consideration and decision of an ad-hoc tribunal of competent and impartial outsiders. Our proposals will elicit a decision from a duly constituted world tribunal and the implementation of such a decision will have the backing of the entire world organisation.

We have not had time to get into touch with all friends from all parts of the country. As urgent action is necessary, we have thought it best to send our proposals to San Francisco at once and to communicate to our friends there the names of further signatories to the statement as and when they are received. We earnestly appeal to all parties and interests in India to accord nation-wide support to these proposals to the end that not only the cause of India but that of enduring peace in the world may be placed on foundations of strength and justice.

It is with these principles in mind that we proceed to submit the following suggestions for the consideration of the United Nations in the hope that they would be found to be a helpful contribution to the noble task of rearing the structure of peace in which they are now engaged.

(1) The General Assembly should be empowered to refer disputes duly brought up before it to the Security Council or to the World Court at its discretion.

(2) Parties to a dispute should neither participate nor vote in the proceedings of the General Assembly or the Security Council concerning that dispute.

(3) The General Assembly should be empowered to give binding instructions to the Security Council to take action where a State complains that its sovereign equality with other States is imperiled or nullified by State even though, at the time of the complaint, (a) neither the actual use of force or threat thereof by the State complained against could be predicated nor (b) owing to the disparity in relative power and might of the two States could the continuance of the dispute be held to be likely to endanger the maintenance of international peace and security.

(4) The jurisdiction of the World Court should be enlarged so as to enable it to take compulsory cognizance of complaints of violation of the purposes, principles and other provisions of the World Charter duly made by a State. The World Court should be empowered to make its own rules of procedure from time to time without reference to the General Assembly or the Security Council.

(5) The General Assembly should make from time to time rules of procedure so as to provide for the agencies by which matters may be brought up before it or the World Court in cases where the Governments of the States concerned are so much under the domination of the Governments of other States as to have been deprived effectively of initiative.

(6) It should be made obligatory on the Security Council to use all the means in its power to give effect to the decrees and orders of the World Court.—API.



71. Battle for Freedom Remains to be Fought: Allahabad Congress Assembly

Resolution passed at a meeting of the Allahabad City Congress Representative Assembly on 21 May 1945.

Leader, 22 May 1945.

Allahabad, 21 May. The war in the west has ended in a so-called victory. It is true that Germany and Italy have been beaten; but the battle for freedom and democracy remains yet to be fought. The oppressed people throughout the world, particularly the colonial countries of Asia and Africa, have little ground for hope that a new era of justice and fair play in the relations of nations is about to dawn.

In our own country there is a contradiction between the high professions of Great Britain and its actual policies which are based not upon freedom but upon the subjection and exploitation of colonial people and continuation of imperialist policies and methods. On the one hand there is India's war record: an army of two million of men, the bill of over two thousand crores, which poor Indian taxpayer has had to foot. On the other side there is the bitter political discontent, economic chaos, administrative inefficiency and corruption, famine and pestilence, which took away over a million-and-a-half lives and the substitution of ordinary law by ordinances and regulations and of the authority of courts by executive power. The war has been used as a pretext for suppressing representative institutions and the civil liberties of the people, for locking up its leaders in jail without trial. Few countries have been subjected to so much avoidable suffering.

There can be no stable peace until the imperialistic outlook, the desire of a nation militarily strong to exploit the weaker nations, is entirely eradicated. India thus remains the crux of the question for by the freedom of India will the cause and the policies of Great Britain and the United Nations be judged and the future prospect of peace be determined.

72. Cooperation Only on the Basis of Complete Independence: Gandhi

Gandhi's talks with Hare Krishna Mehtab on the present political situation¹ Panchgani, 3 June 1945.

Amrita Bazar Patrika, 5 June 1945; also *CWMG*, Vol. 80, p. 245.

Mr Harekrishna Mehtab, member of the Congress Working Committee, who has had full discussion with Mahatma Gandhi for three days on the present political situations in the country, has released to the Press the following written questions and answers which sum up Mahatma Gandhi's attitude:

Mahatma Gandhi prefaced his answers with the remark, 'You ask for my personal opinion. I give it for what it is worth. Mine can in no sense be an authoritative opinion'.

Question (1): Do you think there has been any change in the country to warrant any change in the Congressmen's attitude towards the war which they adopted in 1939? If you think there is no change, then has it not come to this, that in your opinion Congressmen should not go back to Ministries in the present circumstances?

Answer: You should examine the Congress attitude not of 1939 but 1942. So far as I am aware the Congress offered help in 1942 provided that certain conditions were fulfilled. It is for the Congress to lay down the conditions for the present acceptance of office. These must always be in terms of independence.

Question (2): There is no Civil Disobedience now and you have placed your manifold constructive programme before the country. Do you approve of the following definition of the constructive programme to tackle the immediate problems of the masses and to try to solve them on non-violent lines as enunciated by you? This definition includes the work of trying to check black-marketing, profiteering and also the inflow of foreign consumers goods by insisting upon the use of Swadeshi goods.

Answer: You have only a partial grasp of the constructive programme of my conception. It is comprehensive and all-pervading. Stoppage of black-marketing, profiteering and foreign consumer goods must precede construction. They are not part of the programme, but the programme to be effective and universal has to do that weeding process. The whole programme is Swadeshi.

Question (3): Would you ask Congressmen to seek cooperation from other parties and even from Government agencies in the prosecution of the constructive work? How can the constructive programme be prevented from being used for the purpose of consolidating the party position for elections and for other purposes?

Answer: I have been crying myself hoarse to persuade Congressmen to adopt wholeheartedly the constructive programme without party motive or any other. It is its own motive. I seek the co-operation of the whole nation and also the Government in carrying out the programme, naturally on our own terms.

If the latter give honest cooperation, it must mean independence without violence and without fuss. If the constructive programme is worked for electioneering purposes it will carry with it the seeds of its own disease. Man can prevent vicious people from using the best things for the worst of purposes.

Question (4): What should be the attitude of Congressmen towards all those who are now building up organisations which may come in clash with Congress at some stage or other in future?

Answer: The Congress position should be of complete non-violent, non-cooperation with those who will stab the country in the back.—API.

¹ Harekrushna Mahtab, Congress leader from Orissa and member of Congress Working Committee, had full discussion with Mahatma Gandhi at Panchgani for three days on the political situation in the country, and released to the Press on 3 June the written questions and answers above.

APPENDIX I

Dr Rammanohar Lohia's Statement to his Lawyer, 27 October 1945

Pyarelal (ed.), *Gandhiji's Correspondence with the Government 1944-47*, Appendix VI (Ahmedabad, 1959).

In my applications to the Punjab High Court dated 13th December 1944 and 19th January 1945, I have described in outline my detention in the Lahore Fort. I will here recapitulate, briefly and in hurry, some of the incidents. I will also add certain names and dates. However, this is no full account. Also, some of the most atrocious features of the Lahore Fort can only be brought out by one who settled down and had the talent to communicate a long and painful experience, a part of whose effect consists in repeating some crude tricks on the nerves and the will.

I was arrested in Bombay on 20th May, 1944, and, except for two or three occasions when I was taken to the Bombay police headquarters, I was detained in the Arthur Road Jail. On 20th June, I was served with an order of the Central Government dated 7th June and was brought to

Lahore on 22nd June. This order directed that I could be detained 'anywhere including the Punjab Province'. The primary motive of this order was to put me on the rack. That it continued my detention was incidental, at best, a joint purpose.

My things were searched in one of the interrogation rooms and I was deprived of a book I had, pen and paper, shaving things and the like. I was then taken to a cell where my person was searched. I was expected to wash and bathe inside the cell and the small space between the cell-door and the flooring was both a gutter for dirty water and a passage for food. A fairly powerful light-bulb was kept on overhead throughout the night. Another wall a few paces away from the cell-walls blocked all breeze, mosquitoes abounded and the concrete must have put up the Lahore temperature quite a bit. Right from the second day, the police officers started calling me names, unprincipled, cowardly and all that, when not giving me long lectures on truth and the right behaviour, one of them would reel at me for stretches which seemed infernally long. Such refrains as....

I could not bring myself to eat. It was no hunger-strike, just the utter inability to eat. During the day, they would hold me handcuffed in the interrogation room and one midnight, probably the fourth of my arrival, they had me taken out of the cell for an hour in their office.

On the sixth day, the Superintendent of Police in charge of my interrogation promised me that I could have my bath under the tap outside my cell, that my cell-door would be opened while giving me food and, as to my third requirement, he said that he would himself cut out filthy language. It was probably a mistake on my part to have started eating.

For about a fortnight thereafter, I had comparative relief. They would still hold me handcuffed in their office throughout the day, when they tried to mix the arts of flattery with subtle hints of terror and the unknown. At this stage, in addition to Superintendent of Police Syed Ahmed and Inspector Muhammad Hussain, who worked on me from the beginning, Inspector Maharaj Kishen was also brought in.

I was perfectly willing to face a law-court, with no intention to deny acts in which I alone was involved. I also volunteered to write a note to the Central Government accepting such acts, if that was what they wanted.

About mid-July, I was kept awake for five days and nights. Except for a half-hour bath, they kept me handcuffed in their office. When not orating, they engaged in general abuse of the Congress.

After reducing a man to a literally tottering state and working on his nerves, they do a lot of servile cringing and pretend to touch the feet of their victim in exploitation.

They were now willing to accept orally what I had offered to give them in writing. Once again, they tried to broaden the scope of my offer through two sleepless days and a night, but ended that up in cringing. Up to early August, it was largely a case of my selecting for them the various pamphlets and speeches that I had written or spoken and they made summaries of these.

But this was not what they wanted, though it whetted their appetite. They read me whole chunks from reports of the Central and Bengal intelligence and from statements which they said had been made by others. This they probably did with a view to impress upon me the extent of their information and to ease my burden in so far as I had only to affirm or deny. I can only say that they have no information on vital affairs or it is inaccurate and, even on their affairs, it is sketchy. Among their angry repetitions was that they had allowed my interrogation to become their own which certainly was not of my doing and could only be ascribed to their own detecting skill. Whatever it was, whether terror and fear of the unknown or the silly notion that one may accept one's own acts anywhere, I had made the original slip, which also landed me into a few affirmations about acts in which I alone was not involved.

In early August, they tried another method. From noon of a day to the middle of next night, they kept me standing with a break of about four hours. When I would not stand voluntarily, one man on each side of me held me by the hand. On the second occasion that the Inspector snatched away my spectacles, I am myopic to the extent of -5, I closed my eyes. This was never attempted again. I shall only say that for weeks afterwards I saw black stains on my calfs. This was again ended by cringing on the Inspector's part.

From about 10th August to 30th August, Superintendent Syed Ahmed was away in Delhi. Instructions were probably left behind not to go beyond working on my nerves until the Superintendent returned. I would be taken in the day to the interrogation room and would be made to listen to their prattle or their cajolery or threats of the lurid unknown. Even as I said another or said that I had nothing to say, they would read out from their reports. I was struck that they should try to gain information in this way about heads and embassies of allied nations, not to talk of German or Japanese agents, when, out of sheer impishness, one might like to gull them with reports just to breed a little more international suspicion. Among the notions that crossed my mind was a persistent picture of gutter water and how these intelligence men tried to force one to drink it.

On the Superintendent's return, I was again kept awake from about 2nd to 6th September. The Superintendent brought with him some photostatic copies and reports. Heavy-lidded, I had to listen to these or some ineffectual speeches. This was the Superintendent's last effort and he went away on 10th September, presumably again to Delhi. Inspector Maharaj Kishen had already been withdrawn. Of course, I did not know that they had withdrawn and, for all that I knew, they could have reappeared at any stage.

Inspector Muhammad Hussain, supported by his constables and sentries, kept me awake from about 14th to 30th September with a break on the Id Day; I would be taken to my cell in the night but, after uncertain intervals of an hour or half, back again to the office to be kept awake. This would happen about three times in the night. From the Id Day, however, I was kept continuously awake. I might here state that, during this month of being kept awake, I had to give up eating and drank a glass of milk, half water, in the morning and some tepid water called tea in the evening. I had also to cut down drinking water for the constables detailed to keep me awake, who sometimes took shifts with the inspector, said they were not allowed to take me out of the office. I was also not allowed to stretch my legs or walk. If the constables thought that I had closed my eyes, when they were only heavy, they kept on shuttling my head. Else, they would pull the heavy chain attached to the handcuffs. The inspector was now reaching the high in filthy talk. He was free with haramzada and the like. On 23rd September noon, when he tried to make me stand, I asked him not to attempt anything with me single-handed. He shouted his constables in and also the armed sentry who always kept guard on me. One man on each side held me by the hand and the inspector let loose his vile talk. I had had enough of this terror and uncertainty and being kept continuously awake and being treated as dirt and had the urge to reinstate myself in my own eyes something beyond passivity. I told the inspector that he was the coward of the fort with all his terror and evil doings and fancied prowess. A sub-inspector's hand flew at my throat but was withdrawn and so was the inspector's who tried to shake my head for some time. Thenceforth. I had comparative quiet in the matter of rough talk. Again on 25th September, before the break of dawn and at a time of these sleepless days when my head would feel like breaking forth into fumes, the inspector wanted me to shift my chair so as to face the light-bulb. On his trying to lift me out of my chair, I again warned him off and he shouted in a constable and the sentry. The three of them lifted me out of chair but they could not make me stand, so that the constable and the armed sentry with the fixed bayonet held me on each side and the inspector pressed on my

ankles in a vain effort. Later, he asked the sentry to put away his rifle. After some time, he gave up and let me slump on the matted floor and asked the constable to wheel me around and then my manacled hands like in the motion of a mill-stone. This continued until it was time for my bath.

Clots of blood started forming in my nose and I spat traces of blood, when in October, I had continuous fever for ten days. The doctor called it seven days' fever.

Round about the Diwali day, I was changed to a cell, which is among the worst in the fort; I was also taken for some hours to the basement cellar of the fort-office, where I was told that a new process was to start before which the bravest and the most hardened criminals quailed, a persistent remark except for the new setting in which it was made, which I could only look upon as a relief. Cajoleries never quite ceased. Could I give them one address where a transmitter could be seized, some foreign contacts, when not that, the money-givers or the accommodation addresses or a place where arms were dumped?

The ordeal ended on 25th October. I continued in my cell. In early December, I was allowed newspapers and writing materials when, on 13th December, I made my *Habeas Corpus* application to the Punjab High Court. I supplemented it with another on 19th January 1945. On 30th January, my application was heard and I was examined on oath. The learned judge thought my allegations serious, wanted to go into them and demanded an affidavit of the Central Government. However, he was later influenced by the Government's plea to transfer me to another place of detention. I think it was a faulty finding to have disregarded that the primary motive of my detention order was to transfer me to the Lahore Fort. Aside from the technical aspect, the learned judge should have continued with the enquiry that he had started into the facts of the case. At one time I felt that he thought the case serious enough to be adjudicated one way or the other.

My application to the Federal Court was rejected on the plea that the court had no jurisdiction. After two more notes to the Central Government and an application to the Allahabad High Court, I have now been allowed to meet my lawyer, Mr Madan Pittie, and am writing this note for further proceedings.

27 October 1945
Agra Central Jail.

Rammanohar Lohia

APPENDIX II

Commutation of Death Sentences of Eight Accused in Ashti and Chimur Case

The Governor of CP and Berar's Press Communiqué on commutation of death sentences to transportation of life.

Amrita Bazar Patrika, 31 January 1945.

Nagpur, 29 January. The Governor of CP has commuted the sentences of death passed on eight of the fifteen accused in the Ashti and Chimur cases to transportation of life.

A press communiqué issued in this connection says:

After anxious consideration His Excellency the Governor of CP and Berar has commuted to transportation for life the sentences passed on the following eight persons convicted of murder committed during the disturbances in August, 1942 in Chimur and Ashti:

Ashti (1) Baliram Teli; (2) Jairam Mali; (3) Skaram Baneo Teli; (4) Raghunath Pandurang Kumbhar

Chimur (1) Dhondya Ganpat Shimpi; (2) Patru Warlu Mahar; (3) Danya Paikya Mahar and (4) Rambhau Narayan Kunbi.

In these cases, arising out of disturbances in Chimur and Ashti, fifteen accused were sentenced to death and Government, by this communiqué, have reduced the sentences of eight to transportation for life.—API & UPI.

Chapter 3. Freedom Campaign in the West [UK and USA]

SECTION I: CAMPAIGN IN THE UNITED KINGDOM

1. India's Freedom an Urgent Necessity

S.A. Dange's¹ article on India, published in *Daily Worker*, London, on Independence Day, 26 January 1945.

*People's War*², 29 April 1945.

India is one of those parts of the world from which food plants originated and agriculture of a highly developed type spread throughout the world.

That land today is in the grip of poverty and famine due to the stranglehold of the imperialists and because the people have no national Government of their own.

The Indian peasant has put about 260 million acres of land under the plough in British India. A 100 million more await him.

But his poverty leaves him no capital to cultivate them and the imperialist-landlord monopoly rights prevent him.

The Indian peasant produces about 55 million tons of food-grains and millions of tons of cotton, jute, oil-seeds, hides and skins that go to feed the industries of the world.

But of all these results of his labour, only 20 per cent is left to him in value or kind, and 80 per cent is robbed from him by way of rent to the landlord, taxes to the State, interest to the money-lender and clearing on the capitalist market.

Three-quarters of the cultivators have to live on less than Rs 5/4 a month (2s. a week) for the whole family, and the farm labourer of an estate is lucky if he can make Rs 4 a month (1s. 6d. a week) for a full year.

The Government, which spends twice the sum of the land revenue on 'law and order', gives the peasant no education, no medicines, no roads, no houses, no hygiene, no drinking water and no vote. The Indian countryside is one picture of poverty and exploitation.

The inevitable result is that the discontented peasant organises strikes, revolts. But he is suppressed by the armed might of the British Government and the armed bands of the European and Indian landlords and planters, supported by the Government.

II

This war, which is being fought for democracy and liberation has completed the ruin of the Indian peasant. It has brought famine which has killed more than 4,000,000 people, while the casualties on the Japanese front from war have been less than half a million. Naturally the people are bitter.

The Government's failure to control prices and centralise stocks for rationing created anarchy of supplies and markets. Army purchases at whatever cost, appointing food-speculators as Government agents, governors themselves indulging in food-profiteering on behalf of their Governments as a 'policy' sent prices up, encouraged speculators and hoarders and created famine.

Millions of peasants, growing other than food-crops, millions of farm labourers and village poor starved and died of famine.

Food prices in September, 1943, were 430 per cent above 1939, while in England they were just 7 to 9 per cent up.

High prices did not enrich the farmer who could sell and who survived, as his crops were already mortgaged to the landlords, the money lender or the merchant. Control of prices, when it was announced, hit him still further as it did not give him the protection of minimum prices and thus left him where he was. High prices of cloth (400 per cent up) and other town goods needed by him ruined him still more.

III

Post-war schemes of reconstruction of agriculture trumpeted by an alien, incompetent Government are no solution of the problem. They are trumpeted to mislead British democratic opinion and shield imperialist rule from its critical whip.

Reconstruction of Indian agriculture is impossible without overthrowing the monopoly rights of big landlords and the stranglehold of debts and usurious interest. The present landlord-imperialist Government which relies on these very interests cannot do it.

The National Congress and the Kisan Sabha are pledged to this programme, and millions of peasants support them for it, and for the sacrifices they have made in the freedom struggle. It is either ignorance or hypocrisy when some of the leading men in England talk of helping the Indian workers and peasants, but want to by-pass the Congress and the Kisan Sabha. India's urgent necessity is a National Government and freedom—not blueprints of schemes and experts.

Then alone the liberated peasantry will feed the country, feed Indian industry as well as world-industry and make a planned economy of plenty possible. Then alone will be possible a real mobilisation of the 400 millions for the fight against the common enemy.

IV

India is one of those countries of the world which were the home of handicrafts, which developed the art of ore-smelting and on the basis of unity of agriculture and manufacture built the richest and most enduring civilisation of ancient times.

British imperialism and machine-manufacture destroyed and plundered that economy without building modern industry in its place—with the result that the vast natural resources remain unused for man's benefit and the people remain in the grip of poverty.

The national income per head per annum in India is Rs 65 (L5) against that of Rs 950 (L73) in England.

The veto on India's industrial development by monopoly interests in Great Britain has benefited neither the people here nor there.

Whatever little industry has grown has been in spite of this veto. For instance, railways grew to feed raw materials to British industry—jute in order to make cheap profits on low Indian wages. But the basic heavy industries like iron and steel, engineering, chemicals, are lacking.

V

Thus when this war of machines broke out, India could not produce heavy armaments, nor a locomotive, nor a motor-car nor a ship.

And whatever there was could not be mobilised, because the bureaucratic Government was incompetent, and would not allow the industrialists and leaders in the country any power.

That is one of the reasons why the 14th Army boys have to complain of bad transport and want of everything that the armies have on other fronts.

Reactionary policies of the past and the present thus prolong the war and bring sufferings to the army at the front and misery and famine to the vast millions in the rear.

The 6,000,000 industrial workers are forced to work 9–12 hours per day at starvation wages. The miner gets Rs 10 a month (3s. 9d. a week). The railwayman gets Rs 40 a month (15s. a week) the textile worker Rs 35 (13s.), the jute worker Rs 20 (7s. 7d.), the tea gardener Rs 10 (4s.).

And they have to pay the same price for things that the British worker pays—4as. 6 pies (5d.) a pint for a baby's milk.

The cost of living since the war has gone up 200 per cent in India but only 30 per cent in England.

Half a million workers stand powerfully organised in the Trade Unions affiliated to the All-India Trade Union Congress. But Unions have no recognition or right of collective bargaining.

While European and Indian employers have made war profits, the workers, who have run the railways and clothed the army and the people, have been refused wage increases and provoked to strike.

VI

India has been one of the fountain-heads from which humanity has drunk culture and received ever-growing and higher values of life.

Hindu philosophy, while socially dividing man into petrified castes, provided him with the theory of revolt against that very division by pointing out the essential unity of all men, all the universe. From there flowed Buddhism, with its concept of man's social equality and the liberation of slaves.

When invaded by foreign oppressors or suppressed by social parasites, the masses of India have always poured their sorrows and their revolutionary slogans in their folk literature, in the songs of the progressive saints, who in the religious imagery of their times, expressed the social ideology of the revolt of the masses.

British Imperialism destroyed the old culture, capitalism destroyed its social basis, but without yet creating a new one in its place. The revolutionary masses and the intelligentsia are doing it.

Destruction of handicrafts destroyed the basis of castes and untouchability. While the alien bureaucrats, afraid of the new culture, afraid of the ghosts of the English, the French and the Russian Revolutions, encourage caste divisions and feelings by caste privileges, the working class in the factories and the peasants in the fields are uniting and creating the new culture and values of man united on the basis of common labour for use and against exploitation. National freedom against foreign rulers and social freedom against domestic exploiters are the slogans of the new literature, drama and poetry and social philosophy.

Hindus, Muslims, untouchables and all in factories and fields working together have destroyed caste-reaction and are building up culture on the new basis. It is a new India little known to the outside world.

But the iron hand of the alien Government clamps the new forces. Poems and dramas expressing the desire for freedom, desire for a better life have been suppressed by the censors. A poet who sang of freedom was sent for 20 years to prison. A drama showing the European planters' exploitation was banned. A song of the guerilla peasantry fighting moneylenders was proscribed. Nationalist and Socialist literature of the new life is not allowed to grow.

VII

The failure of India's agriculture and industry to build a prosperous life in peacetime, and to stand the strain in wartime, requires the liberation of India from the deadly grip of the imperialist vested interests.

Plans for prosperous, unified world economy, based on peace and plenty, demand India's liberation from the corroding, cramping hold of monopoly interests, which is maintained by naked armed force.

Imperialist thirst for colonies brought us the First World War. The same thirst and the desire to drown the people's revolutions brought us the second. To prevent a third World War we must have a free India.

The Indian liberation movement has been the friend of the democratic struggles of all peoples. It has been the first to denounce Fascism and only bureaucratic reaction has prevented its mobilisation for the anti-Fascist war. Along with the Chinese, it is the healthiest and mightiest current in terms of human and material power in world prosperity and democracy.

On this Indian Independence Day, celebrated by the unarmed millions of the people, and suppressed by the armed hundreds of the bureaucrats, British democracy must demand the immediate release of the political prisoners and the end of police terror, the establishment of a free National Government and the end of bureaucratic chaos and famine.

Then that continent, now frustrated and deep in misery, can be mobilised for the mighty struggle for a world of peace and plenty.

¹ Shripad Amrit Dange (1899–1991) was born in 1899 in a Marathi family in Nasik. He left studies to join the Non-Cooperation Movement but soon became a Communist and edited *The Socialist*, the first Communist journal in India. He emerged as the leader of the working class movement and led Girni Kamgar Union, Bombay, in the late twenties. He was imprisoned in connection with the Kanpur Bolshevik Conspiracy Case and Meerut Conspiracy Case. He was President of All India Trade Union Congress since May 1943.

² *People's War*, an English Weekly, was published from Bombay. It was the mouth-piece of the Communist Party of India. Its name was changed to the *People's Age* from September 1945.

2. None Can Prevent India from Attaining Freedom

Sir Mohammad Zafrullah Khan's¹ speech at the Commonwealth Relations Conference,² 17 February 1945.

Leader, 18 February 1945.

Statesmen of the Commonwealth, does it not strike you as an irony of the first magnitude that India should have two and a half million men in the field fighting and struggling to preserve the liberty of the nations of the Commonwealth, and yet should be a suppliant for her own freedom?

How long do you think will she be prepared to wait? India is on the march. You may help her or you may hinder her but none shall stop her. India shall be free within the Commonwealth if you will let her and accord her the position which is her due but without the Commonwealth if you leave her no alternative.

The war has brought to India a forcible and vivid realisation of her own strategic importance and indeed of its potential strategic domination in all the vast areas of oceans and lands that lie between Australia and the west coast of Africa. Early during the war long before Pearl Harbour, India had become the principal base of supplies in that area. Through rapid mobilisation of its manufacturing capacity and industrial resources, it has become the principal arsenal of the United Nations in that part of the globe.

The contribution that India has made towards preserving the liberties of the nations of the Commonwealth and safeguarding future peace of the world, has not been achieved without creating serious ferment in many directions. The repercussions on India's economic life have been grave but are also full of beneficent possibilities. The repercussions are not confined to the economic sphere. They are making themselves felt very strongly in other directions.

India is growing impatient of its political dependence on Great Britain. The sense of disappointment and frustration in the political field is being aggravated by the fear that it may be relegated to a position of inglorious obscurity in the post-war arrangements, some of which will form the subject-matter of discussion in this conference.

China is today freely recognised as one of the four big nations. India does not compare unfavourably with China in population and area. In every other respect China can stand no comparison with India. I am sure it will be freely recognised that in respect of national resources and the development of manufacturing capacity, industrial potentials, technical and mechanical skill, capital investments, literacy and higher education, in arts and science, communications, public health and veterinary services, maintenance of law and order and administration of justice and a host of similar matters India stands far ahead of China whatever may be its position vis-à-vis the United Kingdom, the United States and the USSR.

It may be objected that India suffers from divisions and conflicts but the divisions and conflicts in India do not prove more intractable than differences that divide Communists and Koumintang in China. Though often a victim of aggression, India has throughout her long history never been guilty of a aggression herself.

¹ Mohammad Zafrullah Khan (1893–1985) born in Sialkot, Punjab, Barrister-at-law from the Lincoln's Inn, London; Member, Punjab Legislative Council 1926–31; a delegate to Round Table Conference 1930–32, President, All India Muslim League 1931; Member Viceroy's Executive Council 1932–39; Judge Federal Court of India (1941–47); Minister for Foreign Affairs Government of Pakistan 1947–48; Permanent Representative at UN (1961–64), Judge International Court of Justice, Hague, 1964–70 and its President 1970–73.

² Commonwealth Relations Conference, a private conference was held every year in England with government representatives from Commonwealth countries. It opened in London on 17 February and concluded on 3 March 1945. The other members of the Indian delegation to the Commonwealth Conference were K.M. Panikkar, Maqbool Mahamod, Sir B.P. Singh Roy, Rao Bahadur Sivaraj, N.C. Mehta, Sir Buta Singh and Sir Maharaj Singh.

3. India Should be Freed at Once

Chinese and Latin American labour leaders' view, London, 17 February 1945.

Amrita Bazar Patrika, 20 February 1945.

London, 17 February. H.T. Liu, Secretary, the Chinese Association of Labour, and a leading delegate at the World Trade Union Conference said in a statement on India:

Firstly, India should be freed at once; Secondly, our sympathy is always with the Indian freedom movement. We have unbounded admiration for such great world leaders as Mahatma Gandhi and Pandit Nehru. Pandit Nehru's release would be a great moral triumph for our war aim—freedom of peoples. Thirdly, Labour movement in China and India must strengthen collaboration in order to secure higher standard of living for the Asiatic peoples. The ILO is planning to hold a Regional Asian Conference; that will provide us with an opportunity to discuss common problems.... I have no doubt that the Chinese people are overwhelmingly hopeful for the settlement in India so that India may devote greater war effort against our common enemy Japan.

Alexander Carillos, the great Latin American admirer of Mahatma Gandhi, Pandit Jawaharlal Nehru and N.M. Joshi, in a similar statement stressed: 'The Atlantic Charter must be revived and applied to India as to all other countries'. He also jointly with Gonzalo Gollado of Confederation de Trabajeros de Cuba supported the demand for the release of Pandit Nehru and others.

4. No World Security Possible with a Subjected India

B.P. Singh Roy's address at Indian Students Union, London, 4 March 1945.

Amrita Bazar Patrika, 8 March 1945.

India is ripe for responsibility. Our minor internal difference should not stand in the way of transfer of that responsibility. From my experience of the past twenty years, I can tell you we have worked the constitution on the whole very well. We appreciate the Parliamentary system of Government. We like it. Our mind is also developed along the lines of the Parliamentary Government.

Men like Sir Surendranath Banerjea, Lal Mohan Ghose, Pherozeshah Mehta, G.K. Gokhale tried and succeeded in spurring our countrymen to think along the parliamentary lines. India is definitely set for the goal of the Parliamentary Government. Before I join issue with those who say the Parliamentary Government is unsuitable for India, I would like to ask them if that is not suitable what other form of Government they suggest? Do they suggest autocracy? Is it possible in 1945? Do they suggest a republic? I do not think they believe in it. Our minds are set on only responsible Parliamentary Government. The Act of 1935 did not get full, fair trial. It came into operation in 1937, the war intervened in 1939; immediately the Central Government tightened its grip on the provinces, that is the fate of 1935 Act. Its main achievements practically vanished overnight.

I think there is a great feeling of unanimity in India that self-government should be granted forthwith. There may be difference regarding the methods. Postponing it on the plea of Hindu-Moslem differences is unjustified. The British Government has got a responsibility in this matter. They cannot just sit on the fence and remain mere onlookers. In the past they imposed whatever they wanted, sometime with the wishes of the people, sometime with partial consent. The British Government must not sit quiet now by asking the Indian people to agree among themselves. The Indians indeed are agreed upon one thing—the fundamental thing—they all want the transfer of political power. The present British attitude does not and will not appeal to the Indians. It is also the duty of the Dominions to give a helping hand in this matter. The more you delay self-government for India the more will there be a feeling of defeatism and frustration which are already there. I am pleased to find that at least some British statesmen realise this danger.

But nothing less than a definite declaration by His Majesty's Government that a new constitution embodying self-government will be granted to India immediately after the victory will appeal to the people of India. In this demand we, the Hindus, the Moslems, the Parsees, the Jains and the Sikhs, in fact every small and big community is united. I must also assert there cannot be any settlement in India with the Congress leaders in jail. The first and imperative thing, I suggest, is to

release the Congress leaders forthwith. Without them no one else can deliver the goods. Is world security possible with a subject India—millions steeped in ignorance and poverty-stricken. The security of the world in the future will be achieved more through an economic and cultural advancement of the people who are backward and are in difficulties instead of coercive methods. India must be represented in the San Francisco Conference by the people who represent India. I say India must have a National Government if she is to be adequately represented at San Francisco. The British friends have got a mission to perform. The Almighty God entrusted the destiny of four hundred millions of Indians to them. They should raise their hand of friendship and put India on a footing of equality.

5. Britain Must Fix a Definite Date for Transfer of Power

Sir Muhammed Zafrullah Khan's articles in *The Spectator* and *The Manchester Guardian* and comments by the latter, 25 February 1945.

Hindustan Times, 9 March 1945.

London, 1 March. Sir Muhammed Zafrullah Khan in an article in this week's *The Spectator* (Sunday, 25 February 1945) enlarges on the suggestion he recently put forward that the British Government should make an announcement that they would be prepared to implement any agreed settlement that might be put up on behalf of India within a period of one year from the cessation of hostilities against Japan but that failing such settlement within that period His Majesty's Government would themselves place before Parliament proposals concerning the future constitution of India which would secure for India the position of equality with the Dominions.

Sir Zafrullah Khan, after stating that the British Government could not be acquitted of all responsibility for the Indian political deadlock says: 'It has been suggested that the period of one year within which the Indian parties would be asked to come to an agreement is too short for the purpose. This overlooks the fact that the period is run from the cessation of hostilities against Japan and if an announcement of the kind suggested by me is made immediately, that would give at least two years to the parties in India to come to a settlement. The exact length of the period, however, is not material. What is desired is that the period should be definite and not too long. A period ending with 31 December 1947 would serve the purpose just as well'.

He adds: 'Once India is placed in the same position as the Dominions, it should have the right of amending its own constitution in accordance with procedure that might be laid down in the constitution itself. The object of this procedure should be to ensure that an amendment should take place only with the consent of the various parties and interests concerned. All the necessary fact-finding has already been done and a good deal of labour spent upon framing the Government of India Act 1935, could be drawn on in framing the new constitution.'

The Sapru Committee is also sitting and its report may help to clarify the latest position taken up by the political parties in India.'

Sir Muhammed Zafrullah Khan says the new constitution must leave the door open to Indian States to come into the picture if they so desire, but should not make the coming into force of the constitution conditional upon their consent or accession.

Again, the safeguards for the protection of the minorities with regard to religion, culture, education and language must be so framed as to be capable of judicial determination, so that any breach or contravention of them may be set right by judicial action. There would be no room in the new constitution for special responsibilities of the Governors and the Governor-General.

'It might be asked', Sir Muhammed adds, 'whether any constitution framed by the Parliament, to which the principal parties in India were not consenting parties would have a fair chance of

smooth working. Such a constitution would fail to give complete satisfaction, as the claims of every one of the parties would have to be subjected to a good deal of pruning to make them fit into any workable constitutional pattern. As the constitution would vest the power of amendment in the legislature set up by it, that should be an inducement to the political parties to start working it so that in due course they might be able to give it the shape that they might agree upon among themselves. Nevertheless, there would be a certain amount of risk that some parties might not be willing to cooperate in working the new constitution. That consideration must be kept in mind by those who are actually engaged in framing the constitution and it would no doubt result in the constitution being moulded into a pattern which might enable it to function even if some parties did hold aloof.'

Sir Muhammed stresses that his object is to secure a time-limit, which should result in securing a working agreement between the parties in India or, in default, such an agreement should operate to place the responsibility of framing the constitution upon the British Government.

'India', he concludes, 'has claims upon the statesmanship of Britain which cannot be repudiated. Issues far more momentous and vital to the future of peace and civilization hang upon a solution of the Indian problem than is perhaps appreciated at the moment.'

The Manchester Guardian, too, publishes an article by Sir Zafrullah in which he proposes that Britain should announce that it will accept any agreed settlement put up within one year of the defeat of Japan or by the end of 1947.

'Considered as a political device to break the deadlock and get back to constructive thought', comments the *Guardian* 'the idea is helpful'.

In 1931, the British Government was faced with the same problem on a smaller scale and solved it most satisfactorily by giving an award and enforcing it. Admittedly, it is a different proposition to award a national constitution, but we must not forget that the ground is thoroughly familiar and points of disagreement are few and well defined.

'Without expecting general Indian support for the idea from the start we may well win it before we are half-way through the course. Unfortunately, Sir Zafrullah has confined himself to procedure and left it to British judgment to say what the constitution should contain.'

'Assuming that we would set up some kind of federation with a definite right of secession for Muslim provinces, some difficult questions would remain to be cleared up. The obvious doubt is whether a constitution, once laid down, could be so easily replaced without throwing the whole settlement into confusion.'

'Sir Zafrullah has suggested that under the Act of Westminster, which would apply to India as soon as the constitution was endorsed and the treaty made, any Dominion is free to amend its constitution.'

'It is one thing to make amendments in a settled political framework and another to substitute an entirely new constitution. This has got to be thrashed out.'

'Next, with whom is Britain to make the treaty? There may be no constituent assembly and any provisional Government in which big parties took no official share might be disavowed by the first properly elected Government, leaving the treaty hanging in the air.'

'Should we then retain our powers until the general elections have produced a representative Government? In short, one must go more deeply into the sequence of events to see what can be done with the plan but we have little doubt that further search along these lines would lead to success.'

'Two steps must, however, be taken before we can hope to gain any Indian support for the new move. One is the early release of political leaders which now awaits the decision of the Commander-in-Chief that security conditions have improved. Secondary, some sort of provincial

autonomy must be promptly restored. Never in history, not even in the days of the East India Company, have British Governors ruled Indian provinces without a Council of political advisers as they do now. There is no excuse for maintaining this anomaly any longer.'

'If Congress refuses to play, the Governors can at least, appoint unofficial Indian councillors. Means must be found to test popular opinion and to open the way back to a normal Parliamentary Government in the provinces. It is easy enough to wait, but it may be more expensive in the long run.'—*Reuter*.

6. Promise Freedom to India After War with Japan

Bertrand Russell's address to the Cambridge University India Majlis on the future of India, 5 March 1945.

Bombay Chronicle, 10 March 1945.

We are all agreed that it is impossible to keep up our position in India. Even if it is possible it is neither justified nor desirable. Of course in a war people have to surrender their liberties as we have done in this country. That also applies to India but as soon as we have got a Government of the people with liberal-mindedness, we can demand that we want a change for the better in India and set to work for that change. I know of the Cripps offer, I know it is still there. I know the offer of Dominion Status as soon as the war is over. But it is not what we want to do. The question is what Indians want. At any rate, it is felt by a vast majority of Indians and by many other people, especially by the people of the United States, that our promises are not honest, that we do not mean to keep our undertakings to Indians. Many people in the United States want an unequivocal, definite and unambiguous declaration for India. Therefore, if I were to take part in the Government, I should announce immediately at a certain date, a day 12 months after the end of the Japanese war, that we British shall wash our hands of India. I should announce that now, so that Indians may have plenty of time to get together and see how best they can work together.

It means the release of political prisoners immediately on the understanding that they won't embark on civil disobedience as long as there is a war on. Thus we can prepare the ground for self-government. Now what kind of Government India wants? I do not think we should be too much hampered by differences in India. After all they are there, everywhere, as they are among our own people. But because we have differences nobody here wants foreigners to settle our own differences. That applies to India. It is for Indians themselves to settle their differences. It is not any of our business. I should, therefore, announce that 12 months after the Japanese war we shall abandon our responsibilities for India. I do not think we ought to insist on Dominion Status. The idea that India should become a Dominion is futile and quite contrary to her geographical necessity. Other Dominions had historical affinity with us but India culturally has not and will not belong to us. Her affinity will be with Asiatic countries. Her history and culture are contrary to ours.

Moreover, it is a pity to ignore one most important factor. It is this that the Dominion Status gives the right to secede and everyone knows Indians will exercise it and use it to quit the Empire. Make no mistake about it, so why should we have this futile process when we know jolly well that India will get out of the Empire. At least you will get a situation similar to Southern Ireland when the Irish were given nominally a Dominion Status, though for all practical purposes this has done no good to anybody. Irishmen are outside the Empire except for their passports only which facilitate their coming to Britain.

I do not mean to say that nobody should have responsibility after our decision to abandon India. There ought to be an international authority which will look after the interests of all nations except of course the big nations which can keep on behaving as badly as they want. This

international authority should apply to India primarily to exercise and prevent aggression against other countries. For instance, we should use this international authority if Poland goes on an aggressive war against Russia. We do not want military minorities anywhere seizing power with unconstitutional manner. If an international authority exists it should intervene in a civil war in India. If such a thing were to happen, the British have no special right to claim a title for intervening.

India belongs naturally to other Asiatic countries rather than Western. Her ties with Britain are more artificial than her ties with China. The domination of the White Man over the rest of the world since the sixteenth century is coming to an end. It will not go on any more in Asia which is awake. I am convinced of that. Our domination came into being as a result partly of our voyages, partly by a skilful use of commerce and partly as a result of science. As India develops industrially she will also develop as a military power. The era of White domination will not last. It cannot be revived. White domination has made it impossible for a stable world. You cannot have peace in the world secured as long as some people want to keep themselves in power. There will be hundred and one injustices in the world as a result of this domination. The other side has a feeling of hatred and contempt for those who dominate. Until you get approximately an equal standard in East and West you cannot go on.

7. India Must be Made to Accept Full Responsibility Herself

Extracts from British MP Professor A.V. Hill's letter to the Editor, *The Times*, London, 14 March 1945.

Statesman, 16 March 1945,¹ *The Times*, London, 14 March 1945.

'The present Government [of India] is not and cannot be strong. It has little popular support. When Indians have said to me that popular support can be disregarded and that what is wanted is benevolent dictatorship for five to ten years to get things started I have had to remind them that political opinion in India, Britain and America makes that solution totally impossible.

'It may be doubted whether any agreed constitution would, at first, provide a strong Government in India, but the only hope is for Indians to try for themselves to make their mistakes and to become aware, by bitter and costly experience, of the penalties attached to the unreality of division, disloyalty and corruption.

'Secondly, the problem of population in India out running food supplies together with a growing demand for higher standards of life, can only be solved by the maximum effort over many years. So long as Britain has any responsibility for India, political disaffection will hold up that concerted effort and blame for all resulting misery and disaster will fall on us.

India therefore, must be made to accept full responsibility herself. If she succeeds in solving her problem of over-population and under-nutrition, good luck and honour of her. If not, she must not be able to excuse her failure by fouling the good name of Britain.

'Thirdly, we, in Britain, do not take part in domestic political controversies of a Dominion. It is time we applied the same forbearance to India. There is enormous goodwill in Britain towards India and a keen desire to help her to solve her urgent and difficult problems of welfare. When India is a self-governing dominion, she can avail herself of the help—if she will—on terms of equality without this continual catcall of imperialist exploitation and without attempts by sentimental British politicians to interfere with India's domestic affairs'.—Reuter.

¹ *Statesman* quoted from *The Times*, London, 14 March 1945.

8. British Women Demand Indian Leaders' Release

Appeal by 99 well-known public women from Great Britain.

Statesman, 5 April 1945.

London, 4 April. An appeal has been sent to the Prime Minister, Mr Churchill, the Secretary of State for India, Mr Amery, and Lord Wavell by 99 well-known Britain women.

'The political deadlock in India and the continued imprisonment of many of its national leaders', says the appeal, 'assume added significance in the light of the developments in the Far East and the coming conference at San Francisco.'

'At the opening session of the British Commonwealth Relations Conference recently held in London, the anomalous position of India was stressed by the leader of the Indian delegation, Sir Muhammed Zafrullah Khan.'

'Information has come from the All-India Women's Conference that serves to show how intensely Indian women feel about the present position and their growing apprehension for the future. At a time when plans are being made for the post-war world, we share the Indian women's concern that their trusted leaders should take their rightful place in national and international affairs.'

'We therefore make an earnest appeal to His Majesty's Government to release these prisoners without delay, so that free consultation can take place between the leaders of Indian opinion in their effort to find a solution of the political deadlock.'

Mrs Corbett Ashby, Chairman of the Liaison Group of British Women's Societies that work in co-operation with the All-India Women's Conference, heads the list of signatories, which includes Dr Margaret Balfour, Margaret Bonfield, Vera Britain, Dame Elizabeth Tadbury, Margerey Fry, Dame Katherine Furse, Agatha Harrison, Storm Jamerson, Ethel Monin, Clare Sheridan, Dr Edith Summerskill, Member of Parliament, Dame Sybil Thorndike and Lady Ethel Unwin.—Reuter.

9. Transfer Fuller Responsibility to Indians

Letter to the Editor, *The Times* (London), 14 April 1945, signed by the Warden of All Souls College Oxford, W.G.S. Adams, and six others (Margery Fry, former Principal of Somerville College, Oxford, A.D. Lindsay, Master of Balliol College, Oxford, F. Pethick-Lawrence, Labour MP, and Norman Goodall, Lari Heath and J.Z. Hodge).

Statesman, 15 April 1945.

Lord Wavell's return to this country, for purposes which include discussion of India's constitutional and political future has quickened the hope, which we are convinced is widely and deeply felt that at a time when many great events are moving to their climax we may at last witness resolution of the wearisome deadlock in India, and the beginning of a new period of creative co-operation both within India and between India and Great Britain.

This expectation has been powerfully expressed in your editorial columns recently. We write to identify ourselves with your plea that Britain should resume the initiative and help India to achieve political maturity as envisaged in the Cripps proposals.

Some possible lines of action have already been discussed in your columns and it is not our purpose to pursue them in detail. We share, however, that widespread expectation of Government action, which will, firstly, within the existing constitution, transfer fuller responsibility to Indians at the Centre and facilitate resumption of responsible government in provinces; and secondly

make possible the immediate beginning of the task of framing a new constitution in which free and responsible collaboration of the leaders who are now detained is essential.

We write in responsible awareness of the burdens which rest upon Lord Wavell and still more upon those whom he consults in this critical hour. But we also write in the conviction that a new endeavour to heal India's political distresses at this time will materially aid in the larger healing of nations.—Reuter.

10. Power Must be Transferred to Indian Hands as Speedily as Possible

Under Secretary of State for India, Lord Listowel's address to the Youth Conference at Peterborough, 22 April 1945.

Bombay Chronicle, 23 April 1945.

It is a sobering thought that we Britishers, by one of the strongest accidents in history, are called to make decisions of policy that will affect the future of one-fifth of the human family. Considered in terms of the happiness and usefulness of so large a contingent of our fellow men or in its bearing on the prospect of a long and unbroken spell of world peace, this terrifying responsibility of our Parliament is second only in importance to speedy victory in Europe and the Far East. We have not forgotten, whatever critics may say, our repeated and solemn promises about self-government for India or that our good name will be called into question so long as these promises are not fully redeemed.

At the end of this grim war of liberation from Nazi and Japanese tyranny there is no doubt that the world will be waiting with impatience to see whether India alone among victorious partners in the Grand Alliance is to remain indefinitely without equal and wholly independent status. One good reason for hopefulness is that Home Rule for India is not, as Home Rule for Ireland used to be, a policy that divides our nation into hostile camps. For this policy has been affirmed by one Government after another over a period of many years. It has been accepted and advocated by major political parties and it is firmly buttressed by all but a negligible fraction of British public opinion.

May we never lose sight amid complexities of Indian problems and growing pressure of our own domestic worries, of this great and simple issue. For national independence is not just absence of outside interference any more than personal liberty is the capacity for keeping out of prisons or straight jackets. A free country becomes the main sources of high endeavour and heroic devotion for a free people. It awakens their creative energies from the apathetic stupor of long subjection and it breaks down the routine of centuries by filling poverty-stricken multitudes with fresh hope of a brighter future. For who can doubt that the almost superhuman resilience of the Russian and Chinese peoples has been rooted in love of their country? No wonder Indians look forward to the release in their subcontinent of those beneficent and powerful energies at present diverted from constructive tasks into sterile and negative channels; Here is the immediate reservoir of stifled aspirations and hidden talent waiting to be tapped for the service of India.

Nothing could contribute more effectively than this wider loyalty to reconcile political factions, to evoke mutual respect and trust and to preserve India from internal disruption by class antagonisms and communal differences. Under Indians' leadership industrial revolution, which is advancing with giant strides in the cities, might be carried forthwith into villages to transform the patch-work quilt of medieval agriculture into wide and fertile fields of a prosperous countryside. But let us not forget that for charged, expectant India these promises of future benefits, sincere as we know them to be, are so many empty formulas, as void of practical effect as the Abracadabra of a stage

magician. It is on the whole sound instinct that leads us to judge the man by deeds rather than words. And it is not surprising that as the years pass with little far-reaching change, India becomes increasingly sceptical about pious intentions and more and more inclined to judge us by what we actually do to practice what we preach. We all are bound to admit that proof of our sincerity will be the final transfer of power. Let us, therefore, whether we succeed or fail in this great undertaking, make no mistake about the conditions of success.

First of these is that we do not confuse the shadow of an indefinite future independence with the substance of actual responsibility and power to govern.

The problem in its simplest terms is in the transfer of control of the machinery of government in India—a process that has already taken place over a wide administrative field from the British Cabinet sitting in Whitehall to responsible and representative leaders of Indian opinion.

The second condition is that this devolution of the last vestige of political power from Britain to India should be conceded as soon as is humanly possible. The time factor in this constitutional drama is all important and whether we will like it or not we are hastening with the certainty of fate towards the climax in the last act.

Time forgets not, nor forgives and any unreasonable delay in granting essentials of self-government would poison our relations with India for many generations to come.

Let it not be said, in retrospect, of our dealings with India, as people often say today of our past dealings with Ireland, that we gave too little and too late.

But the time is past when we can dress India in our own ready-made constitutional garments. Indians must settle between themselves the cut, size and material they want.

So the third and last condition is that Indians will rise to the summit of this unique opportunity. It is for them to accept the legacy of sovereign authority we bequeath to our successors. For the sake of this fair heritage, they will surely bend their wills to compromise in a supreme attempt at mutual agreement. They are now free to choose for themselves institutions through which it can best be exercised in close conformity with Indian conditions. Only by carefully prepared readiness to take over completely when the clock strikes can they save helpless masses from an interregnum filled with horrors of famine and civil strife.

There is, finally, the broad assumption without which these conditions of progress could not be fulfilled. I mean the assumption that British statecraft which has raised from infant dependency that largest fraternity of free and equal nations in history, will never declare itself bankrupt. If the road it has taken leads to a dead end it will retrace the steps and take another. If one honest attempt to accelerate the pace of constitutional development should fail, that failure would be more of a challenge than a defeat.

Whether, when we reach the end of this long imperial chapter, India will choose to become a free and equal partner in the British Commonwealth or will follow Egypt and Iraq into the outside world must be a matter for Indians themselves to decide.

11. India's Liberation Indispensable for Lasting Peace: May Day Message to the Indian People

People's War, 29 April 1945 by Harry Pollitt, General Secretary of the Communist Party of Great Britain.

On behalf of the Communist Party of Great Britain I send May Day greetings to the people of India through the columns of *People's War*. This May Day brings the dawn of victory over Europe; the armies of liberation are sweeping irresistibly forward, crushing and grinding the Nazi barbarians.

This victory in Europe will give us added inspiration and confidence to turn to the task of defeating Japan, thus removing forever the shadow of aggression which has cast itself over China, Burma, India and other Eastern countries for so long. We declare for the giving of our full support to this end of the achievement of speedy victory in the Far East.

In this hour of victory in the West, we reaffirm our conviction that the liberation of India is indispensable for the achievement of lasting peace. Therefore, we demand the immediate release of Indian political prisoners and the opening of negotiations with leading Indian parties for the establishment of a National Government that can lead the Indian people forward by out side. We are confident that a Free India can and will play a great part in building world peace and Security.

Among the nations joined together today regardless of their political systems, the Soviet Union stands out as the most powerful inspiration and influence in relation to the perspectives of world peace and settlement.

Peace must enable the peoples of all nations to enjoy democratic freedom and shape their own way of life, free from outside interference. This aim is contained in the Yalta Declaration and summed up in its pledge to remove 'the economic, social and political causes of war.'

On this May Day, with hope for the future, and pride in the achievements of the armed forces of the Allied Nations, we pledge ourselves to fight alongside our Indian comrades for the birth of a New World in which all men and all nations will be free from the scourge of poverty and exploitation.

12. Need to Install an Interim National Government at Centre

Frederick James's address in London, 1 May 1945.

Amrita Bazar Patrika, 4 May 1945.

London, 1 May. A survey of the advantages and shortcomings of the Indian Legislature in wartime was given by Sir Frederick James, member of the Indian Legislative Assembly, at a meeting of the East India Association in London to-day.

'The present set up at the Centre is not satisfactory', said Sir Frederick, 'and it is not really adequate to bring India successfully from the war period to the post-war period—the most difficult and dangerous period, quite apart from the many constitutional problems ahead. I sincerely hope that something can be done in the near future to strengthen the Centre politically and administratively and give it a greater sanction of public support.'

The political picture in India would, in Sir Frederick's opinion, have been different and India might have achieved the position of a Dominion in status and function, if the British Government had been firmer in 1935.

The Central Legislature had the virtues neither of the British Parliament nor the American Congress. The fact that the Opposition knew that they would not be immediately charged with the responsibility of forming an alternative administration if and when they defeated the Government produced a state of frustration, a tendency to irresponsible action and a measure of irritation on both sides.

'There is much unity on the demand for an interim National Government at the Centre representing major parties,' Sir Frederick declared. 'The precise composition of such a Government is not declared, nor is the support of major political parties to such a Government guaranteed. It would indeed be a transformation, and a welcome one, if there were installed a Government at the Centre pledged to support the war with Japan which had the support of the main parties in the Legislature and the major parties in the country.'

It would be better able to deal with the many problems, economic, political and constitutional which will face India after the war.¹

¹ The rest of the speech does not relate to India.

13. Reorient British Policy Towards India

British MPs' open letter to Churchill and Amery, 21 May 1945, signed by William Dobbie and six others.¹

Leader, 22 May 1945.

With the end of war in Europe and complete liberation of all western countries a victory in which India has played not an unimportant part in wealth and manpower—the question of India's own freedom assumes new urgency and we accordingly address this open letter to you in the hope that you will give it your earnest and urgent consideration.

It is now nearly six weeks since his Excellency the Viceroy of India came to London for talks with his Majesty's Government to cover both military and political aspects of the Indian problem. Responsible British newspapers such as the *News Chronicle*, the *Daily Herald*, the *Reynolds News* and the *Sunday Express* have recently revealed an existence of difference between him and yourself.

We understand Lord Wavell realises that it is contrary to the British tradition to govern a politically conscious country without moral support of the people and has, therefore, put forward a plan which is likely to satisfy the Indian political leaders. We cannot ignore the fact that the Government of India has been defeated 14 times successively in the Central Legislative Assembly on such a vital matter as the budget. It is a sure indication that the present regime in India has lost confidence of the representative Indian opinion.

All the United Nations are meeting at San Francisco with a view to organising a stable system of world peace and security. India is one of the awkward issues in these discussions and without a satisfactory solution of the Indian problem the British moral influence is unlikely to prove effective in the new Security Organisation.

We realise that Great Britain is committed to give India full independence after the war. Most of us feel that the British Government has failed to take effective steps to implement this pledge.

There is a growing feeling abroad that since the Cripps Mission failed in 1942 His Majesty's Government has forgotten its pledge and reverted to the old policy of 'divide and rule'. We do not deny of course that communal divisions do exist in India. At the same time we feel bound to point out that the British 'Raj' cannot altogether be absolved of the charge that it has nourished these religious differences by its communal policy during the past 50 years and more. We, therefore, plead for re-orientation of our Indian policy. We appeal to his Majesty's Government to declare that is for the Indians as a free people to solve their own problems through their own freely elected institutions. The longer Britain withholds this fundamental right from the Indian people the more complex and difficult the communal issue is likely to become.

As the first step to the solution and in keeping with the British declarations on India's right to choose her own form of Government is to accept the following immediate programme of action: Immediate release of the Congress leaders still in prison; fresh elections to the Central and provincial parliaments to be followed by the formation of a responsible national government of all parties in which all cabinet's posts save the portfolio for defence will be held by the Indian party leaders.

We believe this to be the minimum that Britain can offer while war against Japan is still to be won. It will give new inspiration to the Indian national leaders to mobilise full Indian resources for the final defeat of the enemy in the far east.

Signed by William Dobbie, John Hynd., J.W. Burden, J.R. Leslie, P.G. Barstow, William Gallacher and W.G. Cove.—UPI Cable.

¹ The signatories are members of the House of Commons.

14. India, Acid Test of Labour Party's Policy

V.K. Krishna Menon, London, 28 May 1945.

Hindustan Times, 29 May 1945.

The present India policy of the Labour Party should be acceptable to any self-respecting Indian. I could not continue the membership of the Party in 1940 because the Indian policy of the Party was not in favour of a National Government in India. Now under the leadership of Prof Harold Laksi, the whole India policy of the Labour Party has changed and we can look forward to an intelligent approach to the Indian problems. I know there are still a number of members in the Labour Party who hold almost reactionary views regarding India, but I also know that a vast majority of the rank and file support Indian independence.

The India League will hold meetings in different constituencies in support of those parliamentary Labour candidates who are genuinely sympathetic of India's freedom. The Executive of the India League will meet the members of the Parliamentary Committee of the League next week to discuss Indian problems and the General Election, particularly release of Indian political prisoners.

India is the acid test of the British Labour Party's policy and I am glad that a large number of Parliamentary Labour candidates are making India one of the main issues during their election campaign.

15. Attlee Explains Labour's India Policy: Faith in Self-government

Hindustan Times, 29 May 1945.

London, 28 May. Pledge of the Labour Party's Faith in Self-Government for India was given to 'Reuter's Political Correspondent today by Mr Clement Attlee, Leader of the Labour Party, who will be the British Prime Minister in six weeks' time if the Party wins the General Election on 5 July.

Mr Attlee, who takes his place in Parliament tomorrow as leader of the official opposition, gave a broad outline of Labour policy on world and domestic questions and declared that Labour had always advocated self-government for India. He added, however: 'Self-government for a subcontinent of 400 million people, differing in language, religion and degree of civilization, is no easy matter. We cannot give India a constitution, but we will assist India to work out her own constitution. I think the Cripps offer remains the most practical method for Indians to decide their own destiny, but the Labour Party is open to consider any other proposals.'



16. Now is the Time to Act

Editorial in *The Times*, (London), 28 May 1945.

Statesman, 31 May 1945.

The first task—perhaps the first test—confronting Mr Winston Churchill's new Government is a decision on India. A decision should be taken to modify the Government of India Act so as to enable the present constitution to afford the maximum political freedom.

The Viceroy should be charged with the responsibility of promoting self-government in India by every means in his power and should be afforded ample discretion, in the pursuit of this end, to take advantage of the rapidly flowing currents in Indian political life, which all too often change their course, while, Whitehall ponderously plots them.

There are in India doubts about British determination to give India self-government and a disposition to hope that India stands to gain from the competition between British parties to produce an Indian policy which will commend itself to the British electorate.

It is for British statesmen whether in office or out of it to ensure that both these misconceptions are removed without delay.

While the British people are united as never before in their determination to see India enjoying a position of equality with Britain and the Dominions which her importance requires, British policy towards India now embraces issues of magnitude entitling it to be placed, like the realm of foreign policy, of which in effect it forms a part, above domestic differences of purely party politics.

'The peace of South-East Asia, with which the maintenance of world security is so closely connected, depends, in the last resort, upon the effective partnership between India and Britain.

One hope is that Britain and India should work together in free partnership based upon common interests which may yet infuse a new spirit into the ancient connection for better understanding between the East and the West. To achieve this partnership Britain must frame a national policy which shall be independent of the party affiliation of the Government of the day.

The Indians, in general, have confidence in Lord Wavell's grasp of the situation. They know him to favour a courageous advance in the constitutional as well as in the economic field; they believe that the esteem of the British people lends an usual weight to his recommendations. Further, they are despondent at the failure of their own leaders to bridge communal divisions and would welcome a bold and understanding attempt by Britain to lift Indian political life from sterility which now impedes constructive progress towards self-government.

But this atmosphere will not endure indefinitely. Public opinion grows increasingly resentful at the restraints upon political activity justified only by national danger which has now passed away. Pride in the contribution which India has made to the Allied cause and in the great achievements of the Indian army convinces patriotic Indians that the last justification for withholding equality of status has been removed.

Such a feeling will quickly turn to resentment against Britain if it does not receive due satisfaction; and Indian troops, fresh from triumphs won in equal comradeship with British and American forces, cannot be expected to accept political subordination of their country.

An opportunity for laying the foundations of Indo-British friendship is to be found here and now, while Lord Wavell is still in England. It will pass away if it is not completed into effective action.

Public opinion in Britain desires a friendly settlement with India from an instinctive feeling that the interests of both the countries demand it. It is for leaders, equally regardless of party ties, to give effect to that feeling before the present opportunity vanishes.'—*Reuter*.

17. India's Constitution Should be Framed by Free Indians

J.B. Priestley, interview to Ronald G. Bedford, Reuter's special correspondent, London, 31 May 1945.

Statesman, 1 June 1945.

The time must come very soon when India must be left to govern herself in the best way she can. If she makes a mess of self-government, it is her own problem, not anyone else.

It is equally quite clear that India cannot be left to drift into complete weakness and anarchy, while this difficult problem is being worked out. Nothing could be more dangerous to world security than the existence of such a teeming continent in such a condition. There must be international safeguards that this will not be so. I am not prepared to say what form they should take to guarantee India's security during this period. An international tribunal to determine the constitution of India is impracticable. India must be allowed to work out her own constitution without outside help. Suggestions could be made, but after all you can lead a horse to the water but you cannot make it drink.

I never pretend to speak with authority on a subject about which I have no personal knowledge. I have never been in India. I regret it. Naturally, I have read a great deal but I have never written or spoken a word for publication on or about India during the whole of my career. I wish to correct the impression circulated in Beverley Nichols' recent book on India¹ that I am typical of the Left Wingers of Britain in their attitude towards India. Throughout my election campaign I shall studiously avoid reference to India, for who am I to advance opinions without personal knowledge? It's so easy, to prove anything by quoting figures about India.

I am in favour of an independent India with a constitution framed by Indians for Indians. As I have said before, there must be an international guarantee that while Indians are deciding their ideal constitution, their country does not drift into complete weakness and anarchy.

I am wholeheartedly in favour of the release of political prisoners and this opinion does not contradict what I have said about lack of personal knowledge of India. My attitude turns on principle rather than knowledge. I cannot believe that harsh treatment of high-minded Indians is going to get anybody anywhere. If there was ever any justification on grounds of security for keeping these men under lock and key, I cannot see that it applies now. Surely, there is now little likelihood of a Japanese invasion of India.—Reuter.

¹ Beverley Nichols—author and composer wrote a number of books on different subjects of art and life. Reference here to his work, *Verdict on India* (1944).

18. Only Indians Can Solve India's Problem

Prominent British Pacifists' letter to Lord Wavell (signed among others by Mrs Vera Britain, Messrs, Laurence Houseman, John Middleton Murray, Professor Charles Raven and Dr Alexwood, Chairman of the Peace Pledge Union) London, 6 June 1945.

Tribune, 7 June 1945.

London, 6 June. We have been concerned for many years at what we can only regard as the failure of the British policy in India. Failure to release Congress leaders and failure to meet Gandhiji—a step which none of your predecessors were able to avoid—have been rightly or wrongly attributed to the unyielding attitude of the India office rather than to your own inclinations. Recent reports from India say that you are not willing to continue as Viceroy unless the detainees can be released.

We cannot expect you to take any step to deny or confirm such rumours, but we are inclined to give sufficient credence to them to believe that you need no exhortations from ourselves or others to do your utmost to end the deadlock. It has so often been reiterated that only Indians can solve India's problem. That would appear axiomatic that the problem will not be solved until the Congress leaders are brought to consultations.

SECTION II: CAMPAIGN IN THE UNITED STATES OF AMERICA

19. American Public Opinion and India: Impressions of G.L. Mehta.

G.L. Mehta¹ gave a press interview on his return to Calcutta from USA where he had gone to attend the International Business Conference held in Atlanta City in November 1944 as Deputy Leader of the Indian Delegation.

GOI, Home Dept, Poll Branch (1) File No. 97/45, Despatch dated 8 January 1945, NAI, and *Amrita Bazar Patrika*, 8 January 1945.

Calcutta, 8 January

American Public opinion is sympathetic to Indian aspirations but is ill-informed about the Indian situation. The mass of people in America, although interested in India, are unfortunately very badly informed. Information about India is lacking. Even those who were really working for India and the Indian cause—people like Pearl Buck, Mr Walsh (Pearl Buck's husband), Louis Fisher, Lin-Yu-Tang, Norman Thomas (who stood as a socialist candidate for Presidentship)—all said that they were getting very meager information about India.

Unfortunately, however, the Indian Agency-General functions as an appendage of the British Embassy, which carries on continuous and tendentious propaganda against the Indian national movement, particularly against the Congress. Lakhs of rupees from the Indian Treasury are spent for this purpose, apart from millions of pounds spent by the British propaganda machine, which seems to confuse and mislead American public opinion about the conditions and aspirations of India.

As is well known, people have been sent from India as well as from England for this purpose, and it was reported recently that Mr Beverley Nichols is also visiting the USA, or is already there and touring the country. Scores of lecturers are employed, pamphlets and literature distributed all over the country to show that Indian disunity stands in the way of her freedom and that the Congress and Gandhiji have been pro-Axis.

It is of interest to mention in this connection that debates over the radio had taken place between, for example, Louis Fisher and Sir Frederick Puckle who is in the British Embassy, and also between Mr Norman Thomas and Senator Celler on the one hand and Sir Frederick Puckle on the other about India. If censorship is exercised in India only for reasons of military security, typescripts of these debates should be allowed to be published in India in full to let the Indian public know what type of propaganda is done in the USA.

The Indian Agency-General is more interested in watching the movements and activities of Indian visitors and students rather than helping them in establishing contacts between Indians and Americans. As against this, the machinery for publicity and education on behalf of Indian national bodies is poor in equipment and resources, although rich in personnel. Men like Mr Syed Hussain, Mr J.J. Singh, Dr Anup Singh, Mr Krishnalal Shridharani and others are doing their utmost to place the Indian viewpoint before Americans and disseminate information about the national movement.

There is an Indian Chamber of Commerce in New York but it also is not adequately equipped. It is essential that arrangements be made to strengthen such bodies as are functioning in the USA. to provide them with adequate information. Mr J.J. Singh, in collaboration with several Americans, is carrying on the India League of America and is trying to get the ban on Indian immigration removed, for which a Bill is likely to come up before Congress shortly. Dr Anup Singh and his colleagues are working in the National Committee for the Freedom of India in Washington and running a monthly paper called the *Voice of India*. The India League also publishes a bulletin regularly.

I might add that until our delegation went to the USA, practically all the delegations that had hitherto gone from India were either official or nominated by the Government of India, so that they not in a position, even if they wanted to do so, to place before the American public India's viewpoint frankly and fearlessly, even on economic matters.

The first time the Indian viewpoint was put forward was at the Bretton Woods Conference, where not only non-officials like Sir Shanmukhan Chetty and Mr A.D. Shroff, but Sir Jeremy Raisman, Finance Member, Government of India, expressed the Indian viewpoint on the question of the sterling balance, India's representation, and India's economic condition as a result of the war.

Mrs Vijayalakshmi Pandit's visit and the presence of Indian non-official delegates at the Pacific Relations Conference are likely to help the Indian cause and strengthen the hands of our friends there. There is, however, a kind of tacit understanding about the publication of Indian news in America although, I must add in fairness, the activities of the Indian business delegation received quite good publicity even in the American Press.

During my stay of nearly six to seven weeks there was hardly any news about India in the American newspapers, except for certain tendentious reports put out from Washington. For instance, though every attempt was being made to throw cold water and discredit the Sargent scheme of education by high authorities in this country, reports were published as though the Government had already put the scheme into operation, or that they were going to implement it shortly. The object was to show the American public that the Government were proceeding apace with schemes of post-war reconstruction and everything possible was being done for the benefit of the Indian public by the present Government.

Mrs Pandit's activities also are not receiving enough publicity, presumably because of certain influences at work.—API.

¹ Ganganbehari Lallubhai Mehta (1900–94), familiarly known as G.L. Mehta, belonged to Nagar Brahmin family of Bhavnagar, graduated with History-Economics Honours from Elphinstone College, Bombay, 1921 and studied in London School of Economics, Assistant Editor, *The Bombay Chronicle* 1923–26, Manager, Scindia Steam Navigation Company, Calcutta, 1926–48, President, Indian Chamber of Commerce, Calcutta, 1945, Ambassador to USA 1952–58; Padma Vibushan 1959.

20. Immediately Release the Indian Leaders from Prisons

Observations by H.N. Kunzru¹ at the Pacific Relations Conference.

Leader, 14 January 1945.

Hotsprings, Virginia, 12 January. The International Conference on Pacific Relations today (Friday) concluded its talks on what proved to be a highly controversial subject of European dependencies in the Far East amid charges from certain Indian and other Asiatic delegates that the agenda of the conference had been so arranged as to cut short a discussion on it. Both Indian and British viewpoints were, however, presented today.

Representing India, Dr H.N. Kunzru demanded the following concessions from the British as the first concrete step towards promised independence of India.

Firstly, 'Complete Indianisation of the Viceroy's Council—including two key positions of Home Membership and Finance Membership' Dr Kunzru told Reuter. For the latter the Viceroy has even imported Sir Archibald Rowland from Britain.

Secondly, complete Indianisation of the Indian army in order that the country may be prepared to defend itself when it is given its independence. Indian officers now in the army have already proved their abilities of leadership and diversity of races in the army is unimportant. Look at Russia with its many separate minorities and see how successful the Red Army has been in stopping the Germans.

Finally, Dr Kunzru asked all Congress leaders to be released immediately. He argued: 'This will not prejudice Indian security because the leaders have been forbidden by Mahatma Gandhi to indulge in anti-British activity that might help the enemy. And in over 20 years these men have obeyed Mahatma Gandhi even if it was against their own convictions.'

¹ H.N. Kunzru—(1887–1978), belonged to an upper class Kashmiri Brahmin family settled in Agra; took his BSc. in 1905 in Agra and BSc. in Economics from London School of Economics: important member Servants of India Society which he joined at an early age and was elected in 1936 as Life President of the Society. He supported political agitation by constitutional means and did not approve mass action, violent or non-violent. In 1920 he left the Congress and joined some other leaders in founding the National Liberal Federation where he achieved much prominence; member UP Legislative Council 1921–33, Indian Legislative Assembly 1927–30 and 1937–47, and also Indian Parliament (Rajya Sabha).

21. British Promise on Indian Independence Not Genuine

Press interview by Vijayalakshmi Pandit, Hotsprings, Virginia, 12 January 1945.

Leader, 14 January 1945.

'Britain recently missed two opportunities to show the genuineness of her promise to give India her Independence and thus proved that she at present has no intention to do so', Mrs Vijayalakshmi Pandit, head of the Indian delegation to the International Conference of the Institute of Pacific Relations, told Reuter today (Friday).¹

Mrs Pandit who yesterday opened the discussion on the Indian problem with sharp exchange with the British delegate said: 'There were two occasions when the British could have proved their bonafide intentions—the first was when Mahatma Gandhi, after his release, demanded an interview with the Viceroy in order to discuss the problems of achieving freedom for Indians. Lord Wavell refused to accede to the Mahatma's request. The second was during the Gandhi-Jinnah talks. When agreement was nearly reached between the two leaders, the British refused to liberate the members of the All-India Congress Committee. This gave Mr Jinnah an opportunity to argue that Mahatma Gandhi's position represented his own viewpoint and might not be backed by the members of the Committee, who at present are unable to express their opinion due to their incarceration.'

Mrs Pandit demanded the immediate release of her brother (Jawaharlal Nehru) and all other political prisoners, who are now held without trial, in order that India may continue her preparations for complete independence.

¹ 12 January 1945, Friday.

22 General Support of Indian Independence

Statement by Shiva Rao, a member of Indian Delegation, about India's position in the New World Order.

Amrita Bazar Patrika, 19 January 1945.

Hotspings, Virginia, 16 January. Commenting on security discussion at the International Relations Conference a member of the Indian delegation Mr Shiva Rao told Reuter: 'The Conference which has been held in what may be the final stage of the European war has been dominated by considerations of collective security. Every problem including that of India, the colonies and the dependencies, has been tackled mainly from this standpoint. There is therefore no separate treatment of the full Indian problem and no special attention has been bestowed on India except for the consideration of its possible setting in the new world order.'

Mr Shiva Rao, however, explained that 'Every aspect of the Indian problem was brought up or raised by the Indian delegates during discussions. And it is safe to say we found general support for the plea that India must be independent at the earliest moment.' Reports state that 'the impression listed among a number of delegates is that the solution of the Indian problem is extremely complicated and in any event is for Indian leaders themselves to tackle.' He warned that British propaganda has been successful to a large extent in persuading public opinion in the United States that the issue of India's independence is no longer in question but will be settled automatically after the war, as soon as India can produce general agreement.

So far as post-war collective security is concerned he explained, 'The greatest stress is naturally laid on India's claim for a permanent seat on the Security Council in recognition of her size, population and importance. In the general course, India is identical with that of the so-called weak territories in Asia. It was therefore, pointed out by Indians that collective security would best be guaranteed by the strengthening of such weak territories quickly and effectively with political, economic and social advancement. For any security system that does not take into account problems of dependent and colonial territories will be built on insecure foundations.'

23. India's Case for Independence

Vijayalakshmi Pandit's dinner speech under the auspices of the India League of America, New York, 25 January 1945.

Amrita Bazar Patrika, 24 June 1945.

For many years India and America have had contacts, not perhaps the type of contact we would like to develop but nevertheless contacts and an awareness of each other which is the first sign of the coming together of two nations.

We meet tonight to celebrate an ideal, because, as you know, the independence of India is an unrealised dream. You will perhaps bear with me a moment if I read to you a part of our Independence Day Pledge. It is customary for every Indian on Independence Day [January 26] to read the whole of this pledge in a spirit of rededication to the cause of freedom. It is perhaps more necessary for us who have not achieved freedom to observe a day of Independence than for you who have your freedom and may be do not think very much about it.

For us it is essential to have some day on which we can renew our pledges, not only to free our own country, but for the freedom of the whole human race, to which India stands pledged.

We fight not only in the narrow sense, for the liberty of the 400 millions of our own country, but for the liberty of suppressed peoples everywhere. (Applause). Because we realise that unless

all people in all parts of the world are declared free and equal, there can be no peace and there can be no progress. And in this spirit today thousands of homes in India must have got together and repeated this pledge, a part of which I shall presently read to you. There was a time when this pledge was taken from many public platforms in the cities and in the villages.

But today that will not be possible, because since 1942, India is one vast prison camp, where 86,000 men and women have been detained in prison without trial. It is a place where we cannot speak what we want to say, we cannot hold a meeting, because these things are not permitted. One province does not know what is happening in the other province, unless somebody travels and takes the news.

So today it will not be possible for India to hold those meetings that she held in the past, but even today there will be countless young boys and girls, students and others, who will take the risk of defying the order against more than five people meeting in public. (Applause.) And there will have been arrests all over India, and many young boys and girls will be in jail this time tomorrow, only for having dared to read what I shall read to you now.

The Pledge

We believe that it is the inalienable right of the Indian people as of any other people to have freedom and to enjoy the fruits of their toil and have the necessities of life so that they may have full opportunities of growth. We believe also that if any government deprives a people of these rights and oppresses them the people have a further right to alter it or to abolish it. The British Government in India has not only deprived the Indian people of their freedom but has ruined India economically, politically, culturally and spiritually. We believe therefore that India must sever the British connection and obtain Purna Swaraj or Complete Independence.

We shall seek every opportunity of spreading goodwill among fellow men without distinction of caste or creed. We shall endeavour to raise from ignorance and poverty those who have been neglected and to advance in every way those who are considered to be backward or suppressed. We know that though we are out to destroy the imperialistic system, we have no quarrel with Englishmen, whether official or non-official.

I ask you, a people whose creed is the creed I have read out to you, who pledge themselves year after year in the face of grave suffering and sorrow and many times death, to fight for an ideal, not only for themselves, but for those who suffer all over the world is there not something in those people which requires an understanding? Is there not some urge in that nation which demands expression? Is there not some power which those people possess which would make for the forces of good in the world and which would help the world towards a solution of its own many problems?

And yet, unfortunately, the Indian problem is always looked upon as one of those infinitely intricate, difficult things which can only be understood at the expense of many years of study and which perhaps even then baffles a solution.

But I want to show you the Indian problem in a different light. The problem of India is not a problem of the Hindu and the Moslem and the Untouchable. It is not a problem of religion or minority. It is not a problem that requires any deep study or thought. It is a very simple problem.

It is the problem of the majority. Those people who are hungry, unclothed, uneducated, who have no help when they are sick. This is the problem of India, and this applies to the 400 million Indians, whatever caste or creed they belong to. And this is the problem which I want America to understand and to appreciate.

We have our differences, of course, and I hope we shall always have our differences. If a nation ceases to have its differences, it stagnates and dies. And God forbid that India should die, even before she is born. And besides this, where in the world, which nation can you point to which does not have internal differences? That can only be achieved in a system of dictatorship,

and India stands for the democratic ideal, for the freedom of all peoples for justice and equality between man and man and between nation and nation, for free thought, and free expression, in a word for the Four Freedoms.

We have many points of similarity, you and we. You took your freedom from the British. We are striving for ours. Sometimes when you condemn some particular phase of the Indian struggle, or when you are inclined to criticize those who through many years of suppression have become bitter, remember that it was not so long ago that these same feelings led you to the revolt which made you into the nation you are today. For how could America have been the first power in the world, which she undoubtedly is, if she had not won that War of Independence?

Another point of similarity: You have your Four Freedoms. We want to make them possible for our own people. You are today trying to understand the world forces which are going to reshape the future. You are already drawing up plans and devising ways and means with which to make the world a safer and a happier place for humanity. We desire more than anything else to contribute our share towards that dream. We want to help you realize it, to make it possible that all the evil things that have grown up in the last few years shall cease, that the policies of nations and governments shall be such that there shall be no more exploitation, there shall be no more big powers and little powers, no possessing people and those possessed, that each nation may develop and grow to her full height, that each people may contribute out of the fullness of their own heritage towards the general heritage of the world. I believe that we can help you in this task, but we cannot help you as a nation of slaves.

I belong to the political party which from 1929 has stressed in every way possible the dangers of the policies of appeasement that nations were following and which treaded their course through Asia, Africa, into Europe, and which have finally resulted in the present world war.

I was in Central Europe in 1938, in Poland, in Czechoslovakia, in Hungary. That was the time when there was turmoil all over Europe, when the Runciman Mission was in Czechoslovakia, trying to solve that peculiarly Hindu-Moslem problem, the problem of Sudetan Germans.

Again, I was in London in the House of Commons the day Mr Chamberlain went to meet Hitler at Berchtesgaden. I was in Whitehall when Mr Chamberlain waved his famous paper, peace for our time. I walked through the streets of London and I saw the women of London crowding into the churches, crying and praying through sheer relief that peace had been granted to them, and their sons had been saved. It was a pathetic sight. It was almost as pathetic as the sights one saw in Fascist Italy or Nazi Germany where human beings had been so hypnotized that they had lost the power to think for themselves. In 1938 the British people were hypnotized in the same way, and neither understood nor had the power to raise their voices against those policies which have to-day plunged the whole of the world into this terrible catastrophe.

And I think it is terrible, because what right have you or I or any one of us to demolish what we cannot replace? How dare we pull down the civilization of the world, whether it be Japanese or German or British or French or Indian, which had been built up through the blood and the toil and the sacrifices and the prayers and the aspirations of thousands of years.

The culture of the world belongs to all of us, and it is not for any one of us to get up and declare wars to satisfy our greed for possession and powers. (Applause.) We who saw the inevitable consequences of those policies are today deprived of a voice in saying how the future shall be remade. We who had the vision and the courage about that vision are denied free speech. Our leaders are in prison. The men who pointed out the dangers ahead are locked up.

When the Japanese advance was coming on to Burma, we stressed again and again the necessity for strengthening India's defenses. We wanted India strong so that she could fight against the enemy, so that she could protect not only herself but Burma, Malaya, and China and all the

nations round about, which were in need of protection from India. But what did we get? We were told that we could fight as we were, that freedom could not be granted to a nation in time of war, changes could not be made in time of war.

Yet, if you remember, Mr Churchill offered union with France a few days before France fell. Was that not a big change? And so, in spite of our pleading, in spite of repeatedly pointing out the dangers that threatened India, we were not given any sort of promise which would lead us to hope that the war was being fought for an ideal. The only thing we could understand was that it was a fight to preserve the status quo and when the war was over the greatest powers would get together and share the spoils between themselves. I am sorry to talk in this bitter vein, but that is what the people of India thought.

And the reply to the Japanese invasion was your American Army. Your boys were sent over to die in India when there are 400 million Indians who were prepared and willing and would have been happy to die for their country, had they had something to die for. Your boys were sent there to die and your boys are dying there today. It was partly because of your boys that the famine in Bengal deepened, because there were so many people there.

This is the way things are being done in India. We have the will, we have the manpower, we have the money, we have the desire to throw in our forces with the United Nations, because we feel that the United Nations have got a cause, or should have one, that if we see the vision, we should help them to realise it, that we who have opposed and fought Facism should finally help in the crushing of it, that we who believe in the path of peace should help to lead the world along that path.

But power works in different ways, and today we are on the eve of peace. Any moment might bring that day when peace will be announced. But I don't call that peace. It is merely a cessation of war. Because how does peace come about? It is through the strength of any moral force that peace will come. There will be peace because one power will crush the lesser power, and there is no moral issue involved unless and until something is done to prove that this war is being fought on a moral basis. (Applause.) So far there has been nothing.

We talk about plans of reconstruction. It is a word I hate. It has been hurled at our faces in India until we are sick and tired of it. It does not have any meaning. What are you going to reconstruct? The first reconstruction is the reconstruction of your own minds. Unless the mind of man is reconstructed, how can he reconstruct the problems that face the world? (Applause.)

So, my friends, I come to you tonight with a begging plea, not for the freedom of my country, because any freedom given as charity would be of no consequence, it would go as rapidly as it came. But what I want is for you to understand and realize and make your voice heard and your strength felt to inflame those who are going to reshape the world tomorrow, who are going to sit around the peace tables, and talk about the future of our sons and our children's children, who are going to have it in their power to smash up the world and make it an evil place where one war will lead to another and where evil will breed, or to make it into a healthy, happy place, where the whole human race can progress and go forward towards a very glorious future.

You have it in your power. You are a great nation, you are a free nation, you are a nation that has contributed nobly towards the fight that is going on. The same can be said of England. England is a very great nation. I consider it a privilege to count amongst my dearest friends Englishmen and English women.

But also, it is equally my duty to fight the system in England which not only enslaves my country but makes the whole colonial problem an evil thing, which leads to more desire for power. It is to you that the world is looking today. It is the American people who will ultimately be

in a position to say what should be done or what should not be done, provided they realise the strength they have.

I am reminded when I go about in America of the period when we were fighting our first big general election in 1937. I have no doubt that you are aware that the Government of India Act of 1935 was an act drafted in England by Englishmen for the use of Indians in India, and it was rejected by everybody in India.

In recent years there have been only two occasions when every Indian has been absolutely united. The first was the rejection of the 1935 Act, and the second was the rejection of the Cripps proposals. The third point of unanimity in India which is complete is the 'Quit India' slogan. We want the British to quit and to quit as quickly as they can (Applause.)

Coming back to the parallel, in 1937 we had a general election in India, and as one of the candidates I toured thousands of miles, both in my own constituency and for other friends who were standing for election. The greatest difficulty was to explain to the man who was to vote for you that the vote meant power, that he had it in his power to see that after he gave that vote, you voiced his claim and his need in the legislatures. He could not understand that point. He did not understand what it meant to sign his name or put his thumb impression on a piece of paper, because it seemed so incredible that anybody could want the opinion or the help of a half-naked, half-starved villager who did not get enough food to eat and could not educate his children and whose family died as quickly as they bred because there was no medical aid for a hundred-mile radius. He just would not understand. Half our battle was in explaining it to him.

I see the same thing today in other countries of the world amongst the intelligent people, but for a different reason because thinking implies responsibility, and we do not want to take responsibility. We are quite happy as we are. If we can get one meal a day, well, what is the use of bothering? Two would be better than one, of course, but so long as it is one, why bother?

Only this afternoon, I was having lunch with a very wealthy group of ladies, in fact, so wealthy that I was completely over-awed by so much prosperity and wealth. One of them, referring to some very small thing had happened—I think the heater in her room was not functioning or the tap had broken down and there was no hot water, or something extremely trivial—said, 'My wants are simple if I can have a good home and reasonably good food, and my car and the small comforts that I value, I do not want anything else'. (Laughter.)

Well, that is a very reasonable thing and I am sure most of us would be quite happy with a house and a car and a few other little luxuries. But the point is, are we going to make it possible for all the other people in the world to have the same thing? It is no longer good enough to say that, 'Oh, yes, we are planning towards that.' We have been planning towards that for many, many years, and the time now has come to make those plans effective, to put them into action. And this heaven-sent opportunity has been given to us with the ending of the war to translate into reality, into fact, some of those wonderful dreams we have been talking about.

We mustn't sit back and talk about Dumbarton Oaks¹ or this, that and the other, they are all very good things, in their own way, but they will be absolutely useless unless they have the backing of the people, the understanding of the people, the force of the people behind them. And, I am afraid, unless the people get up and think, nothing will happen at all. New words will be coined to express old thoughts, and everything will go on in the same way until there is another war and another peace and then again another war. We shall talk and we shall have meetings, and celebrations on our days of victory, and may be we shall be sad on other days when we are not victorious.

But I would like you to think tonight a little of all those homes where the lamps will never be lit again because dear ones will never return. The same thing is happening in my country. Many of

our dear ones have not returned from prisons and from concentration camps. I want to fight for the day when these things will be made impossible, when it will be the right of every human being to live in security, to work in security and enjoy the fruits of his toil, and be the equal of his neighbour.

I believe that if America wishes, this great dream can become true for humanity. That is why I have ventured to come before you tonight, not only with a message of greeting from my people, but also to remind you in the name of humanity of the big task that awaits you. I am sure that the American public will take up the challenge and will see to it that the world is made into the sort of place we want our children to live in.

¹ The representatives of China, Soviet Union, United Kingdom and United States of America, met at Dumbarton Oaks, a mansion in Georgetown, Washington, D.C., from 21 August to 7 October, 1944 to formulate proposals for a world organisation that became the basis for the United Nations. These proposals were popularly referred as Dumbarton Oaks Proposals.

24. A New India Destined to Emerge

Speeches by Pearl S. Buck and J.J. Singh at Independence Day Dinner, New York, 25 January 1945.

Statesman, 28 January 1945.

The American authoress, Pearl S. Buck, one of the Honorary Presidents of the India League of America declared: 'It is likely India is the country destined to see greater changes and developments in the next 20 years than any other country in the world. Out of this war, I believe, will come a new India. More than any other people today, the Indians are speaking the language of freedom and democracy. They have nothing to lose since they have nothing at all.

Mr J.J. Singh, President, India League of America, said 'India's problems are vitally and inextricably connected with world problems. We cannot afford to neglect countries and their problems because they are so far away and so distant. What happens in Argentina has a direct relationship to totalitarian rule in India. What happens in Greece has a direct relationship to what has been going on and is still going on in India. We must fight and destroy imperialism in any form or garb and in any part of the world, be it British imperialism, Dutch imperialism, Italian or French or God forbid, American imperialism.'—Reuter.

25. Celebration of Indian Independence Day in Washington DC

(i) Report in *Hindustan Times*, 1 February 1945.

Washington, 30 January. No less than 1,000 persons packed the Washington Press Club auditorium last night (29.1.45) for an 'India Independence Day' meeting under the auspices of the National Committee for India's Freedom. The crowd enthusiastically responded to addresses by Representatives John M. Coffee from Washington, and Emanuel Celler from New York, author Louis Bromfield, Dr Krishnalal Shridharani, Dr Anup Singh¹ and the guest of honour, Mrs Vijayalakshmi Pandit.

Mr Celler declared 'the real sabotage in the war effort in India is the encirclement of India by the British.'

The keynote of all the addresses was a plea to the American Republic to express itself on the Indian problem and press the Government for a statement of its position.

Representative Coffee introducing Mrs Pandit said: 'Mrs Pandit is one of the world's outstanding Women.' Mr Coffee warned that world peace would be endangered if the United States 'washed its hand of India in the hour of her struggle.' To leave India restless, he said, was to leave the people comprising half of the world's population 'in a state of sullen frustration. You and I may be able to finish our days in the lull before the storm, but it will break over the heads of our children and children's children.'

Dr Anup Singh said: 'Britain, I am afraid, is fast driving India to exasperation and revolt.'

Mr Louis Bromfield stated: 'I think the United States and Russia will play a great part in the liberation of India when the times comes.'

Mrs Pandit addressing the gathering said: 'India is one large concentration camp, India has no religious differences; her one religion is the religion of freedom.'

(ii) Report in *Amrita Bazar Patrika*

Washington, 30 January. At the 'India Independence Day' meeting at the Washington Press Club auditorium on Monday (29.1.45) Representative Emanuel Celler, author of the Bill to allow Indians to enter the United States under a quota, told the audience, 'The real sabotage of war effort in India is the British encirclement of India. To attribute it to the leaders and thousands of members of the Indian National Congress now imprisoned by the British for more than two years without trial is a criminal denial of truth. We cannot sit back and accept without a protest such denials of human rights and liberties.' He contended that the British ignored the following points when circulating the alleged reasons about India's inability to govern herself:

Firstly, war against Japan could be won much quicker if Indians were given a specific date for independence.

Secondly, in every country which sought independence unity has been achieved after freedom. For example, he said, the Moslem problem seems to exist only in Palestine and India, and not in China and the Philippines.

Thirdly, the Cripps offer was framed in such a manner as to ensure rejection and he was of the opinion that if the offer had been accepted it would have balkanized India and paralyzed it economically and politically.

Fourthly, if England were really sincere in talking of the eventual self-government for India, it should not impose from outside the Civil Service and military systems for India's defence.

The audience, mostly liberals and others sympathetic to India, gave Mrs Pandit a rousing ovation at the start and end. She was cheered most during her speech when in answer to charges that India was divided by religions, she asserted, 'There is one religion above all others today in India and it is the religion of India's freedom.'

She was cheered again when she said, 'We say to England, you have carried the white man's burden long enough. For God's sake lay it down and free us.'

Throughout she spoke in fervent softness and not sensationally. Her voice was barely carried to the back of the room, so intense quiet prevailed most of the time in order to catch her words. She ended with the pleas that America 'should stand up and say what's wrong? It is your responsibility and mine to make decisions of the world today. If we raise our voices, we can make Big Three or Big Five or Big Eleven or whatever group it is, do the right thing.'

The audience approved without dissent the resolution put by the National Chairman of India's Freedom Committee, Syed Hussain as follows:

This public meeting of the citizens of Washington calls on the United States Government to represent to the British Government who are our allies the desirability of the immediate release of ten thousand political prisoners who have been imprisoned in India without any trial and further

to follow up this necessary preliminary to help achieve India's constitutional freedom now in accordance with the Atlantic Charter principles. We Believe such action is necessary for speed victory in the Far East and achieving lasting peace.'—United Press of America.

¹ Dr Anup Singh was the Secretary of the National Committee for India's Freedom and the editor of *The Voice of India*, published by National Committee for India's Freedom.

26. India, the Acid Test

Vijayalakshmi Pandit's speech at Boston, 13 February 1945.

Bombay Sentinel, 14 February 1945.

Boston, Massachusetts, 13 February. India will be the acid test of all that has been said regarding the moral issues of this war declared Mrs Vijayalakshmi Pandit in a speech here tonight.

In the freedom of India lies the hope of a settlement of the world problem. Free India becomes a force for good in the east and the whole problem of the Pacific becomes more easy of solution. A discontented India means a discontented Asia.

There can be no lasting peace unless it is based on the recognition of human rights. The first step in this direction is the freedom of those countries still under foreign domination. Unless this is done, the present global conflict becomes merely a war for power with no moral sanction behind it.

Statements are not enough—good intentions do not go very far if they are only theoretical. It is only actions that will help in clarifying the issues and so far no such action has been taken by the United Nations.

If the plan for post-war world is to concentrate on power and to impose a system of security on weaker nations, it is bound to fail. Civilisation is not a monopoly of the white man. Asia and Africa have a heritage which stretches far back into antiquity and the world is as much in need of a message from these great continents as any that Europe and America have to give.

27. India's Problem Part of the World Problem

Mrs Vijayalakshmi Pandit's speech and press interview at Baltimore, 6 April 1945.

Hindustan Times, 7 April 1945.

World War III may be brewing in the Pacific now, unless a solution is found for the colonial question. The colonies have been occupied by opposing forces for the first time in modern history; hence, these colonies are going to be discontented. They will not easily go back to their status quo after their release by Japan, but will demand their freedom. They will get tired of changing masters.

Until we translate some of the moral issues of this war to realities freedom will remain a paradox and a tragedy to one-third of the world. The meeting of San Francisco will find real representatives of the Indian people absent. Instead, India will be represented by British knights appointed by Britain to voice Britain's views.

The vote of India is in the hands of men who will cast it according to orders received from their British masters. India's problem is part of the world's problem. India should have an equal part in the Commonwealth of nations and be allowed to contribute her culture and learning to civilization. Vague promises of Dominion status do not count for much when they are counter-balanced by statements in Parliament that British intend to hold what they have.

The Congress can have no faith in any promise of independence for India so long as thousands of Indian men and women including nearly all her trusted leaders remain in prison without a trial.

Any hopes from the vague promises which may have been made from time to time have been dispelled since Mr Churchill's now famous announcement that he had not become the King's first Minister in order to liquidate the Empire.

I am not a bit optimistic when I hear about conference and talks between the great nations. All this talk is about new structures to be built on old foundations.

The Nationalist Party has been criticized for not doing anything constructive. It is impossible to create anything in India until we destroy what there is now. There can never be any real agreement while an outside power is in the country. The governing power always sides with a reactionary party and indirectly prevents a settlement. Disagreement in India cements the British position.

28. Independence Campaign at San Francisco

Campaign organised by National Committee for India's Freedom, USA.

Statesman, 22 April 1945.

San Francisco, 20 April. An intensive campaign to obtain active support of the delegates to the Conference here for Indian Independence opens at a public meeting tonight.

The campaign, which is comparable to that of the Irish Independence leaders at the 1919 Paris Peace Conference is, being led by Dr Anup Singh, Secretary of the National Committee for India's Freedom, and Mrs Vijayalakshmi Pandit, sister of Pandit Jawaharlal Nehru.

According to the statements issued by Mr Singh, the campaign will endeavour to persuade the Conference delegates that the present Indian delegation do not speak for India and that their statements are not representative of the Indian public opinion.

Mr Singh told Pressman today: 'Sir Ramaswami Mudaliar, Sir Firoz Khan Noon and Sir V.T. Krishnamachari were appointed by the Viceroy and can be relied upon to follow the British lead.'

The campaign will also be carried on in the lobbies of the Conference and in a series of public addresses to persuade the Conference to broaden its discussions to include the specific issues of imperialism and race equality.

Mr Singh said today: 'Unless India's political aspirations are satisfied, there can be no peace in Asia. The San Francisco Conference is the most logical place to raise and settle the problem. It must be tackled some time and the sooner the better.'

The Indian independence advocates here are also championing the cause of increased power in the international organisation for smaller nations. Small nations, they claim, have a real stake in the international organisation looking to the great powers, not as a threat of force, but as a protection. They believe it is imperative that the Big Four voluntarily forego some obvious advantages and privileges in order to inspire Confidence and faith in the rest of the world.—Reuter.



29. Declare India Free

Vijayalakshmi Pandit's Memorandum to the San Francisco Conference, handed over to the Secretariat of the Conference on 4 May 1945.

Hindustan Times, 6 May 1945.

As a member of the Indian National Congress Party in India and one who has been selected to be the spokesman for India on the occasion of the United Nations Conference for International Organisation in San Francisco by the India League of America (which is an organisation predominantly of American citizens devoted to the cause of Indian Freedom) and by the National Committee for India's Freedom (which represents a vast majority of Indian national residents in the United States) I desire respectfully to submit the following observations and representations with a request that you place them before the members of the delegations of the United Nations now assembled in the Conference.

As M. Molotov mentioned at his Press Conference on April 30, 'we have at this Conference an Indian delegation. But India is not an independent State. We all know that a time will come when the voice of independent India will be heard too. Nevertheless we share the view held by the British Government that the representatives of India should be granted a seat at this Conference, imperfect though her status is.'

The fact that the Head of the delegation of one of the four sponsoring nations at this Conference has pointed out firstly, that India is not an independent State, secondly, there is a delegation present at this Conference from India which was invited at the request of the British Government, and thirdly, he understands that some time in future the voice of independent India will be heard, provides an opportune moment for the discharge of a necessary duty namely draw the attention of the United Nations Conference to the problem of India which is at once the acid test of the principles on which the hopes of the Conference are postulated and a cancerous menace to the prospects of lasting concord and harmony among nations after the labours of this Conference, as we all hope, are fruitfully concluded.

Let me recapitulate a few essential and inescapable facts. India today comprises some 400 million people naturally and necessarily consisting of various racial, religious and cultural groups and with a geographical area almost the size of the continent of Europe. Nevertheless, India is a geographical unit, cultural unit and economic unit. India furthermore represents one of the oldest living civilizations of the world and has been the centre of culture for centuries.

Yet India is today a dependency of Great Britain which is represented at this conference by the grace and by the agency of her imperial Government. She is without a national government or national flag and without any national representation or diplomatic exchange in the councils of nations except by employees and appointees of her British masters.

Such a state of affairs, I submit, is not only a grave moral and political wrong to India but a travesty of the claim that the United Nations Conference consists of representatives of sovereign nations. The continuance of such a situation affecting the honour, liberty, peace and progress of one-fifth of mankind is irreconcilable alike with the concepts that have inspired the United Nations Conference and with the new world order which, it is hoped, will be ushered in as a result of its concrete decisions.

Commissar Molotov has said: 'We all know that time will come when the voice of independent India will be heard.' Why should such voice not be heard now? The Indian National Congress Party representing the Indian people has always stood uncompromisingly against Fascism, Nazism and Imperialism. Organised Fascism and Nazism has now been liquidated. Imperialism alone remains and is entrenched in a system which implies coercion, domination and exploitation of

one country by another. I submit that this system should be renounced in principle and abandoned in practice by an unequivocal acknowledgement and declaration of a free India.

I speak here for my country because its national voice has been stilled by British duress. But I speak also for those countries which like India are under the heels of alien militarists and cannot speak for themselves. I speak in particular for Burma, Malaya, Indo-China and the Dutch East Indies, all bound to my own country by the closest ties of historical and cultural kinship and which cherish aspirations to national freedom like our own. Liberation from Japan should mean for them, I submit, liberation from all alien imperialism so far as this conference is concerned.

The voice of some 600 million enslaved people of Asia may not be officially heard at this conference and those who have usurped their birthright, freedom, may cynically claim to speak for them but there will be no real peace on this earth so long as they are denied justice. Recognition of India's independence now will be a proclamation and assurance to the whole world that the statesmen of the United Nations assembled at this solemn conclave at San Francisco have in truth and honour heralded the dawn of a new era and better day for an all but crucified humanity.

30. Independence Alone Can Secure Inter-dependence

Vijayalakshmi Pandit's address to the Californian Legislature, 11 May 1945.

Bombay Sentinel, 15 May 1945.

California, 11 May. Beneath the gold dome of the capital building of Sacramento, capital of California, Mrs Vijayalakshmi Pandit today declared that new ties forged between America and India would help the solution not only of India's problem but the problem of colonial possessions everywhere, says Stanley Burch, Reuter's Chief Editor in America, in a radio dispatch.

In an earnest speech calling for sympathy for India's campaign for independence, delivered at the invitation of the State Legislature, Mrs Pandit told the assembly men: 'So long as these colonial vested interests remain, there can be no peace, there can be no security, and so long as there is no security or peace, we shall go on destroying all that generations and centuries of human effort have built up.'

I believe these new ties will work for common good between peoples of the world-because it is the people who are going to build up this world structure.'

The Legislature of California sitting in the city which was the centre of the famous gold rush in 1849 adjourned a debate on the state's budget to hear Mrs Pandit. They sat at the back of rows of desks littered with financial papers to hear her eloquent speech.

Declaring that the world must not think in terms of national freedom but of the freedom for the whole world, Mrs Pandit said: 'we must inevitably consider America and India and all Nations of the world as one unity. Therefore, I am happy to be able to tell you that in India we have come closer to America in understanding through those men who today are fighting in India. We have given them a welcome and we believe they have brought back to America memories of friendship and understanding.'

'No question can be solved by itself. Unless we are prepared to accept certain principles, we shall not be successful however hard we try to find a solution to the problem of permanent peace and the security of the world.'

'In this reconstruction, it is necessary to have the help and friendship of all Nations. It is necessary to build up a new world with ties of cultural contacts, industrial and commercial contacts and contacts of every sort.'

‘Before we can talk about interdependence, we must realise that it is only through independence that we can achieve inter-dependence. Because, I feel that so strongly that I must remind you that if India were today an independent country, she would throw in her weight to a much larger measure and would help in building up the structure of security and permanent peace which is the aim of the Nations at San Francisco.

‘India has it in her heart to work with other Nations to help in an organisation of the world in which all people can live in honour and justice. To a degree to which justice is denied to any group of people, to that degree will all these conferences have failed and the structure that has been envisaged for permanent peace be a failure also.

‘So long as we think in terms of power politics and political expediency, we cannot hope to achieve anything of lasting value. But if the foundations of the new world structure are laid on justice and on the recognition of independence of all peoples I believe it will be possible to avoid future conflicts and to have a world in which all people can work together for common good.

‘It is not only a question of recognition of the principle of ultimate independence. Recognition has to be translated into action. I would like you in America to understand how vital it is for the future of the world that these problems are approached in terms of realism and understanding and that this independence which is something so dear to you, which you have fought to preserve is something which those, who have not yet achieved it, value even more dearly than you who now possess it.’

Declaring that the people of India tremendously admired the people of England, Mrs Pandit said that it was the system they fought, not the people. Only with the liquidation of the system of colonial domination could there be any harmony in the world.

Mrs Pandit concluded her speech with emotional reaffirmation of her belief in the future which the world could build up:

‘I believe the future will be built up into a really beautiful thing through the efforts of all those who desire justice, honour and peace among Nations.’

‘I think America is going to play a vital part in this new world structure. But you cannot hold on to your greatness unless you realise that it is by sharing not by possessing, that the world rises. The extent to which you insist on this principle will be the extent to which you have achieved greatness now and in the world to come.’—Reuter.

31. Vijayalakshmi's Activities in the United States

Reuters' review.

Statesman, 14 May 1945.

San Francisco, 12 May. ‘Fiery energetic Mrs Vijayalakshmi Pandit, sister of Pandit Jawaharlal Nehru, since the beginning of the United Nations Conference has been conducting a ‘one man’ campaign to bring the cause of India’s freedom to the attention of the delegates’, cables Serge Fliegers, Reuter’s special correspondent in San Francisco. She told me: ‘This has been a golden opportunity to reach the statesmen of the world to outline our position to them, to get their reaction and, in many cases, their active political support.’

Mrs Pandit has been making full use of this opportunity putting in seven days hard work per week. At 8 a.m. each day she is awakened by the ringing of the telephone—usually a press representative clamouring for an interview. Time is fixed for that on an already crowded appointment book and then Mrs Pandit has her breakfast of coffee and orange juice while she goes through her morning mail and newspapers.

The mail is voluminous and usually comes from people who comment on her work, promise her support or ask more information on the Indian nationalist movement.

On many days large bouquets and baskets of flowers and fruits arrive for her usually from people she does not even know but who have heard her talk or read about her in the Press.

The morning is usually devoted to the Press. There are two thousand correspondents concentrated here to cover the Conference and hundreds have asked for a talk with the Indian leaders. She has been able to see nearly all of them by keeping a strict 15 minute interview schedule in which she tries to cover as much ground as possible”.

At lunch Mrs Pandit usually meets the heads of the National Committee for Indian Freedom to plan a campaign for the next day. With the leaders of the Committee—Sayed Hossain its Chairman and Mr Anup Singh, Secretary—she discusses the latest developments here and abroad and arranges her speaking and public appearance schedule. Sometimes delegates or representatives of major American and foreign newspapers and Press agencies are invited.

After lunch Mrs Pandit usually takes a short walk through the city—shopping or seeing sights. She has become so well-known a figure, recognisable by her white or black sari, that citizens flock after her in the streets to get her autograph or snap her picture. The other day, a crowd even ignored the Hollywood star, James Cagney, in a restaurant and trooped around her table to get her signature.

Lately Mrs Pandit has been visiting San Francisco’s Chinatown—the largest Chinese settlement outside China.

Later in the day Mrs Pandit visits the headquarters of the Indian National Committee where she finds more mail and more invitations to cocktail parties, dinners and public appearances. She answers phone calls, writes letters and, if necessary, dictates statements and Press releases which are handed to correspondents immediately. Sometimes she arranges little receptions in her apartment. She has already entertained the Foreign Minister of Egypt, Iraq and Saudi Arabia.

Her evenings are taken up with dinner engagements, radio or personal appearance and other public functions. Although her schedule is extremely heavy, Mrs Pandit does her best to present the Indian nationalist cause to as many people as possible and tries to give the same speech twice.

Towards ten at night she returns home where more messages and letters and phone calls await her. After they are disposed of she finally retires with a book and around midnight the lights go out and everything is quiet—until the next day.—Reuter.

32. Vijayalakshmi Pandit Warns USA Against Imperialists’ Manoeuvres

Vijayalakshmi’s interview to the United Press of America, 22 May 1945.

Hindustan Times, 23 May 1945.

San Francisco, 22 May. Mrs Vijayalakshmi Pandit in an interview to the United Press of America assailed the British, Dutch and French insistence that the dependent people under the proposed world trusteeship system be given only a promise of self-government instead of true independence. She urged the United States not to permit the Americans’ ‘traditional position and vast prestige to be tarnished’ by conceding the demands of European imperialists.

This issue, Mrs Pandit asserted, ‘raised the question of fundamental principles affecting the bona fides of the projected international organisation as well as the future of hundreds of millions of dependent peoples’ held in bondage by European imperialistic powers. ‘The word independence means what it says,’ she continued, ‘but the British formula for self-government—the ancient weasel—is deliberately designed and has been long used in India and elsewhere to offer the shadow but never the substance of independence to the subject people.’

The kind of truth or reality which may be expected to accrue from the so-called self-government offered by colonial powers may be judged from the amazing statement of Lord Cranborne, the British spokesman at this conference who said that 'some colonial peoples do not want independence' asserted Mrs Pandit. 'Who is Lord Cranborne,' she asked 'to speak for the very victims of the system his government stands for?'

Mrs Pandit went on to declare that 'the fact that such a cynical statement could be made at such a solemn conference proves once again that nothing short of an unequivocal pledge of independence by the United States will avail to purge the world of unending exploitation and enslavement of millions of human beings.

I can only hope that saner and juster conceptions of the future world order will prevail in the ultimate decisions and particularly that the United States which practised the principle of independence in the case of the Philippines will not permit its traditional position and vast prestige to be tarnished by concessions to the palpable manoeuvres on the part of Britain and others to secure a new lease of life for their eighteenth century colonialism and nineteenth century imperialism.'

Mrs Pandit said that Asia would accept such a condition only under coercion, 'the recent well-publicized offer of eventual self-government to Burma,' she concluded, 'if analyzed, will be found to be precisely the sort of thing the British mean by their formula, namely negation of true independence. They will do everything but get off the necks of those whom they now bestride.'—United Press of America.

33. Mrs Vijayalakshmi Pandit's Plea for Immediate Acceptance of India's Independence

Press Conference, San Francisco, 19 June 1945.

Hindustan Times, 20 June 1945.

San Francisco, 19 June. Mrs Vijayalakshmi Pandit declared today that the British Government's proposals to end the political deadlock in India¹ were 'very closely connected with the British election campaign.'

'The present move', she said, 'like most moves by the British Government is a move of political expediency. There is no bonafide desire on the part of Britain to give independence.'

Questioned regarding the power still retained by the Viceroy under British proposal, she observed: 'If we can organise large group of people we can to a large extent nullify the Viceroy's powers. We regard the move as a step in the right direction.'

She pointed out that only members of the executive of the Congress Party had been released so far and that there were other political prisoners still in jail.

Regarding Indians now cooperating with the Government of India, she said that the men who carried on the Government today were upholding a system which makes it possible for empires to exist.

'Now Again,' she said, 'India's co-operation with Britain in the war against Japan is sought. This means sending large armies of Indians to drive the Japanese from Burma, Malaya, Indo-China. Hundreds of thousands of Indians are already engaged in this task. But we shall want to know what will be the fate of these countries after the Japanese have been thrown out.'

Referring to the Congress resolution of August 1942 on the freedom of various Asiatic countries, Mrs Pandit added: 'We stand by that resolution. There is no clear-cut indication of British, French

and Dutch intentions in this matter although obviously liberation of those countries will entail sacrifice of thousands of Indian lives.'

Mrs Pandit said the most serious defect of the San Francisco Conference was the abandonment of the recognition of the principle of independence for all colonial peoples.

'The sum total of the San Francisco Conference will doubtless mark a historic step forward in international relations,' she said. 'Such improvements as have been effected in the original Dumbarton Oaks proposals go a considerable way towards strengthening the world organisation. Certain fundamental principles of international justice and human decency have been incorporated in the general purpose of the charter. The compromise that seems likely to be forced on the conference on the issue of independence is so disingenuous and the camouflage it embodies so patent that I fear the cause of future peace and concord among nations will not be advanced by it.'

¹ The Wavell Plan, see Chapter 5.

Chapter 4. Moves for Conciliation

SECTION I: DESAI-LIAQUAT ALI PACT

1. Desai-Gandhi Draft, 5 January 1945

Guidelines for the formation of an Interim Government evolved during Bhulabhai Desai-Gandhi talks, Sevagram, 3-5 January 1945.¹

Pyarelal, *Mahatma Gandhi: The Last Phase*, Vol. I, Book 1, Ahmedabad, 1956, pp. 123-4.

1. The Congress and the League would agree that they would join in forming an Interim Government in the Centre (a) consisting of equal numbers of persons nominated by the Congress and the League in the Central Legislature, (b) representatives of minorities, and (c) the Commander-in-Chief.
2. While the Government would be formed and would function within the framework of the existing government of India Act, it would be clearly understood between the Congress and the League that any measure not passed by the House should not be enforced or sought to be enforced by any of the powers of the Governor-General under the Constitution. This would serve to eliminate in action the veto of the Governor-General and make the nominees responsible to the elected Legislature.
3. The European member, if one had to be included, should be the choice of the Congress and the League.
4. It should be agreed between the Congress and the League in advance that if such Interim Government was formed, their first step would be to release the members of the Working Committee. A firm and clear commitment of the League in regard to this would be a preliminary proof of its bona fides.
5. Bhulabhai must make sure before committing himself to anything that the agreement he had in view had the previous approval of Jinnah and the whole thing should be clarified and reduced to writing so as not to lead to any ambiguity or misunderstanding afterwards.
6. If such a Government was formed at the Centre, the next step would be to get the withdrawal of Governor's rule in the Provinces and to form, as soon as possible, Provincial Governments on the lines of a coalition.
7. At the proper moment Gandhiji would tell the Working Committee that Bhulabhai had acted with his approval.

¹ The typed copy of the draft and also the facsimile of the rough draft prepared by Desai with Gandhi's alteration (both by their own hands) are given in Appendix I.

2. Gandhi's Note to Bhulabhai Desai, 5 January 1945

CWMG, Vol. 79 (1945), p. 10. The original letter was in Gujarati.

I understand all that you say. I have trust in you. You know the parliamentary mind. You also know the minds of our people. You may, therefore, do what you think best. My own thinking runs in the opposite direction to the parliamentary one. But I know that there is, and will remain, room for both points of view in the Congress. You may, therefore, go ahead without fear. Let nobody take cover behind this note. Everybody should form an opinion independently and act accordingly. But tell them that I am not against the scheme. This note may be used.

As regards the Hindu-Muslim question, you may do what you can. I would welcome a Congress-League Ministry along the lines I have suggested. I would also welcome co-operation between them in the parliamentary programme. But you should obtain authorisation for it from the Working Committee. Without that I think it will be risky to come to a final agreement. The League should join in the efforts to get the Working Committee released. In my view it will be a test of its sincerity. I should not like you to let yourself be persuaded on just any terms.

This draft is for your perusal. You may suggest any recommendations or additions that occur to you. I will make the changes if I like them.

I now wish to rest for a while. Meanwhile think things over and let me know.

3. Proposals for the Formation of Interim Government at the Centre Initiated by Desai and Liaquat Ali Khan, 11 January 1945¹

Bhulabhai Desai Papers, Subject File 7/1945, NMML.

Proposals for the formation of Interim Government at the Centre:

The Congress and League agree that they will join in forming an interim government in the Centre. The composition of such government shall be on the following lines:

- (a) Equal number of persons nominated by the Congress and the League in the Central Legislature (persons nominated need not be members of the Central Legislature)
- (b) Representatives of minorities (in particular Scheduled Castes and the Sikhs)
- (c) The Commander-in-Chief.

The Government will be formed and function within the framework of the existing Government of India Act. It is, however, understood that, if the Cabinet cannot get a particular measure passed by the legislative assembly, they will not enforce or seek to enforce the same by resort to any of the reserve powers of the Governor-General or the Viceroy (this will make them sufficiently independent of the Governor-General).

It is agreed between the Congress and the League that, if such interim government is formed, their first step would be to release the Working Committee members of the Congress.

The steps by which efforts would be made to achieve this end are at present indicated to take the following course:

On the basis of the above understanding, some way should be found to get the Governor-General to make a proposal or a suggestion that he desires an Interim Government to be formed in the Centre on the agreement between the Congress and the League and when the Governor-General invites Mr Jinnah and Mr Desai either jointly or separately, the above proposals would be made, desiring that they are prepared to join in forming the Government.

The next step would be to get the withdrawal of section 93 in the provinces and form, as soon as possible, provincial governments on the lines of a coalition.

B.J.D. 11 January 1945

L.A.K. 11 January 1945

¹ A photocopy of original copy of the proposals, initialed on 11 January 1945 by Desai and Liaquat Ali on the left side of the document, is produced in Appendix II. The document in original has also been produced in M.C. Setalvad's *Bhulabhai Desai: A Biography* (New Delhi, 1961), Appendix II.

4. Proposals Made by Desai to Sir E. Jenkins, Private Secretary to Wavell, 13 January 1945

Wavell to Mr Amery, 14 January 1945.

N. Mansergh (ed.), *Transfer of Power*, Vol. V, pp. 400–1.

1. At his own request Bhulabhai Desai saw my Private Secretary by (appointment) on 13th January afternoon. He had not stated in advance the business he wished to discuss, but had told Private Secretary he might wish to see me later.
2. Desai began conversation by saying that he believed in co-operation with rather than opposition to British; that Gandhi with whom he recently spent two days supported or at least acquiesced in the suggestions he was about to make; that he had discussed these suggestions with Nawabzada Liaquat Ali Khan, Jinnah's Deputy, who approved them; and that he was confident that Jinnah had also approved them behind the scenes.
3. He then developed his plan as follows:
 - (a) I should send for him and Jinnah and ask them to assist me to form Interim Government at Centre. I could see him and Jinnah together or separately as I thought best.
 - (b) He and Jinnah would then consult groups in Indian Legislature and submit list of nominees. Selection would be made by elected members of the Legislature, but would not be confined to members. He had not considered whether number of names submitted should be greater than or equal to number of portfolios.
 - (c) The League could be 'squared' about communal proportions. Desai indicated equal number for League and Congress (40 per cent each) and fair degree (20 per cent) for other minorities, but was not very definite.
 - (d) Interim government would work within present Constitution, but all members except Governor-General and C.-in-C. would be Indians.
 - (e) There would be no commitments on long term solution. Jinnah would agree to a Government of the kind proposed without prejudice to Pakistan. Long term solution might be easier when Interim Government had been in office for a year or so.
 - (f) In Provinces Ministers now working would not be interfered with, though there might be adjustments based on party agreements with which His Majesty's Government would not be concerned. Section 93 administrations (would) go, and Congress Governments would return to Office but would include League representatives by Party agreement.
 - (g) There would be no repeat no general elections at Centre or in Provinces.
 - (h) Detenus would not be released before formation of Interim Central Government. The Interim Central Government might decide to release them.

5. Gandhi to Bhulabhai Desai, 24 January 1945

CWMG, Vol. 79, p. 59, The original letter was in Gujarati.

Sevagram
24 January 1945

Bhai Bhulabhai,

Newspaper reports startle me. Jinnah says one thing and Liaquat Ali another.¹ About me also it is reported that bypassing the Working Committee I want a coalition government to be formed. What do these reports mean? I have complete trust in you. Please see that nothing is done without the approval of the Working Committee. I go by that I wrote to you in Gujarati. It contains nothing which would support the newspaper reports.

I can understand everything happening together. But please make it clear that we cannot go a single step without the consent of the Working Committee.

Blessings from
Bapu

¹ This refers to report of press interview by Jinnah on 22 January denying any knowledge of the Desai-Liaquat Pact. See *Indian Annual Register*, 1945, Vol. I, p. 33.

6. V.P. Menon's Account of His Talk with Desai and G.D. Birla,
25 January 1945

V.P. Menon to Sir E. Jenkins.

N. Mansergh (ed.), *Transfer of Power*, Vol. V, pp. 475-77.

Secret and Personal

My dear Jenkins,

When I apprised you yesterday of the talk I had with Bhulabhai Desai, you told me to send you a brief account of the conversation in writing for His Excellency's information. I have typed this letter myself.

2. On Thursday the 25th evening I was invited to a tea party by Mr Durga Das, Joint Editor and special correspondent of the *Hindustan Times*. I accepted the invitation without knowing who the other guests were. When I reached Mr Durga Das's house I found that there were only two other guests, namely, Bhulabhai Desai and Birla. I know both of them, but have usually avoided meeting them. At tea Mr Desai and I sat at one table and Mr Birla and Mr Durga Das at another. The first topic Desai raised was the functions of the Reforms Office. I explained the functions as the giving of advice on constitutional matters to the Governor-General and the Departments as we had been associated with the framing of the Government of India Act of 1935. Desai then said Reforms Office is not a correct name as it is concerned with past Reforms and not future ones. He had not known that it is part of the Governor-General's Secretariat, but had thought that it was an organisation of the Government of India. I told him that the Congress party in particular had not been very kind to the office, they had always been sniping at it.

3. Desai then asked whether the Reforms Office would normally see any of the discussions which he had with His Excellency. I pleaded complete ignorance. I said I had only seen what had appeared in the press especially the message which Sharma of the United Press had sent out, and that these were high level politics and handled personally by His Excellency.

4. Desai wanted then to know what my impression is of His Excellency. I replied that because His Excellency is a military man it would be wrong to think that he is personally interested in nothing but the prosecution of the war; and that as a matter of fact he takes great interest in civil administration. He does not leave ordinary administration to the normal administrative officer, to carry on as they like, we in the Secretariat know how much interest he takes even in what might be considered to be small details of administration. Desai agreed with me and said he could understand His Excellency's grasp of affairs from the number of quite pertinent questions he asked about his (Desai's) own formula. Then he said what he wanted to know was His Excellency's attitude towards constitutional reforms. I said my impression is that, consistently with the successful prosecution of the war, His Excellency is an progressive about constitutional reforms as anybody could desire. Desai then asked about you and I told him that if His Excellency is like that, the PSV could not very well be different. At this point Birla turned round from the next table and said it must be so since Mudie was now a different man from what he used to be according to report and the change must be attributed to His Excellency's influence. What then, Birla asked, is standing in the way of a conciliatory gesture from the Government? I said, 'speaking for myself, I have watched three non-co-operation movements and I have been associated with Indian political developments at close quarters from 1917. As an official my attitude towards the Congress is one of suspicion and this attitude is shared by the other brother officials. How would you, Mr Birla, as a business man, look upon a customer who has let you down thrice?' Desai then said that, speaking for himself and for the Congress, he thought once the Congress comes into office, they are not likely to create any trouble, besides, the Muslim League would be with them which would be a guarantee of good behaviour. To this I replied that I could see the point although I did not like the unkind insinuation that the Government specially favoured the Muslim League.

5. At this point I asked Desai whether Jinnah's repudiation had not weakened his case. Desai replied that Jinnah's repudiation was expressed in very guarded language; his own move had been made with the full cognizance of Gandhi and if Government were to accept his plan he could guarantee the participation of Jinnah though he might in public profess dissatisfaction about the arrangement. Desai quoted a Gujarati proverb to the effect that Jinnah might grumble about the food, but would eat it. In fact, at every stage of the conversations, Liaquat Ali with the cognizance of Jinnah had encouraged Desai to continue the negotiations.

6. I then enquired what is to happen to the members of the Congress Working Committee who are in jail. Desai said their release had not been made a condition precedent to the proposals being implemented, and advisedly so. The real inward reason for this was that if the Congress Working Committee members were released and the Committee was in a position to function they would probably wreck the negotiations, but once the coalition Governments started functioning at the Centre and in the Provinces they would accept the *fait accompli* even though he himself might be made a scapegoat.

7. I asked Desai how the coalition Government would work at the Centre, and whether there would not be dissensions about the distribution of portfolios, especially the vital ones such as Home and Finance. Desai said everything would be done by general agreement; and if, for instance, all the parties wanted Liaquat Ali to be Finance Member and he himself Home Member, there was no reason for disagreement. He therefore thought Government need not have any anxiety on this or any other score.

(In his oral report Menon gave me to understand that Desai said he would be accommodating about the selection of Members and similar matters. EMJ 28-1-45)

8. Birla then put in that time is the essence of the matter; and Desai remarked that in the fast changing situation, what people might be persuaded to do now they might not be willing to do a little later. I said that in a matter of this importance any quick decision could not be expected. Desai agreed: he knew, he said, that His Majesty's Government had their own preoccupations while the Government of India had to get their budget through, so a delay up to April might be justified, but he pleaded for avoiding undue delay. Birla said one thing the Government did not realise was that the present Congress Working Committee was not made up of extremists and might be willing to go to great lengths for a settlement, but that if the Congress was captured by the extremists, a settlement might become much more difficult. I said that I recognised the position, and added that a change would be equally bad for him (Birla), and he agreed. The impression I had was that Birla's anxiety was to rehabilitate the Congress in order to withstand the extremists, and by accepting office to stabilise the right wing of the Congress.

9. As the party was breaking up, Desai remarked that he had taken tremendous responsibility upon himself and had gone to the furthest limit to meet the Government, and they must leave the rest to God. At the end I asked Desai, rather naively, what would be the Congress attitude towards the budget. Desai replied that if they were coming into the Government there was no meaning in throwing out the budget. He thought that, generally speaking, Congress would not be found to be lacking in 'sweet reasonableness'.

Yours sincerely,
V.P. Menon

7. Gandhi's Clarification to Devdas Gandhi¹, 20 February 1945

CWMG, Vol. 94, pp. 187-8.

Sevagram
20 February 1945

I told Bapu that Sjt Bhulabhai has received his letter regarding consultations with the Working Committee members. I drew his attention to the fact that the above was there in his Gujarati draft, but was not there in Bhulabhai's latest English draft. Bapu said that the Gujarati draft only could be considered correct because the English version followed as an explanatory one.

However, Bapu's independent opinion was that to meet and consult the Working Committee should be considered as an inevitable condition to act upon.

Question: But if the new government releases the Working Committee immediately and at that time if the Working Committee is free to give its independent opinion, and at present as prisoners if they don't give any opinion, will it not be more beneficial?

Answer: No. In that case Bhulabhai will not be able to carry public opinion with him. And also it will not be fair to the Working Committee.

Question: If it is possible to meet the Working Committee, will you accompany Bhulabhai or not?

Answer: If Bhulabhai wishes so, I am prepared to go with him.

Q. Will you try to persuade the Working Committee to accept this plan?

A. Yes.

Q. What are your arguments in favour of this plan?

A. If the League is prepared to work together with the Congress in any way it is desirable. After the Bombay talks, Jinnah had told many people that Gandhi did not even mention about the interim government. Bhulabhai's efforts are in themselves a reply to him. But if the intentions of the League are not genuine, nothing will come out. I am surprised at the statement[s] of Jinnah and Liaquat Khan. In case Liaquat Khan has not even asked Jinnah, then it is a question how far we can rely on Liaquat's talks. Arrests have again started and that is a bad sign. Now Bhulabhai must talk in a firm tone and tell the Viceroy that this will not do.

Q. Do we keep aside the question of the Viceroy's veto?

A. Bhulabhai says that it is a question of procedure and I have accepted it. However, it means that the Government will not act with Viceroy's veto against the vote of the Assembly.

Q. But if the Viceroy uses his veto and function[s]?

A. In that case there will be an understanding between Bhulabhai and Liaquat that the Government will resign. Even now this fact must be made perfectly clear between them.

Q. On the basis of 4-4-2 will you even include the nationalist Muslims amongst the four of the Congress?

A. No. But Bhulabhai should tell Liaquat that amongst his four he should take nationalist Muslims.

Q. Hindu Mahasabha?

A. Viceroy will create Hindu Mahasabha and other such parties. But we are not accepting them. There are only two parties—Congress and League. Sikhs and Harijans, we have accepted as a concession.

Q. Can we include persons like Shyamaprasad Mukherji amongst the four?

A. If Bhulabhai wants to take them, then I would not raise any objection.

Q. If previous consultation with the Working Committee which is in jail is essential, then why should not the Working Committee members in jail form the Government?

A. That time has not yet come. At present the talk is only limited to Assembly members.

Q. But what about the Whites?

A. The White, black, all—only those who are appointed by the Congress and League can come, except the Commander-in-Chief. Others will be responsible to them.

¹ The questions were put by Devdas and answers given by Gandhi.

Devdas Gandhi (1900–57): Fourth and youngest son of Mahatma Gandhi; had no formal schooling and was sent to Gurukul Kangri and Santiniketan; joined Mahatma Gandhi's secretariat early in 1919–20; married Lakshmi, daughter of C. Rajagopalachari, 1933; joined all the movements launched by Gandhi and imprisoned several times; joined the *Independent* 1920, assisted his father in running *Young India* and *Navajivan*; and joined the *Hindustan Times* 1933 where he continued till death on 3 August 1957.



8. Gandhi to Bhulabhai Desai, 20 February 1945

Bhulabhai Desai Papers, File No. 8, NMML. The original letter was in Gujarati.

Sevagram,
20 February 1945

Bhai Bhulabhai,

Devdas has talked to me fully. He will report to you in detail. Liaquat Saheb's performances and things going on in the country frighten me. They should frighten you too. Do what is just and proper. It does not matter if the thing fizzles out. Once the consent of the Working Committee is obtained, the form you want to give it shall be all right. Your English should harmonize with my Gujarati. Don't you agree?

Blessing from
Bapu

9. Bombay Governor's Report on His Talk with Jinnah, 24 February 1945

N. Mansergh (ed.), *Transfer of Power*, Vol. V, pp. 607–8.

Sir J. Colville to Wavell

Most Immediate

24 February 1945

Secret

No 170/c. Your letter No. 592/20, dated 22nd February. I had two hours talk with Jinnah this morning on the lines indicated in your letter, with results as follows:

2. Jinnah was emphatic that any impression that there had been authorized discussion between Desai and Liaquat is entirely false. Liaquat had no authority to negotiate and has rightly issued a denial. Jinnah said he received a shock when he read in the Press that his name was coupled with these supposed talks. Desai has no authority to make any suggestion to you regarding the attitude of the League. At close of interview Jinnah returned to this point and re-emphasised that there had been a misunderstanding, and that Desai was wrong in suggesting that Jinnah in any way sponsored the move. Jinnah said that my communicating the points in your letter to him was the first approach to him in the matter. He said 'this conversation is the starting point'.

3. Jinnah is reaching Delhi on 6th and would be glad to meet you and discuss the matter. He would like to be given a date and time and would then call a meeting of League Committee to be held in Delhi immediately after his interview with you. Since a meeting is due in any case, this could be done without attracting attention. He would lay the matter before the League Committee and return and tell you the result.

4. I asked him several times if he could not go to Delhi earlier but he consistently refused on grounds of health, and I doubt if he can be shaken on this. My own impression is that he is exaggerating his unfitness.

5. This afternoon asked to be given a note embodying Desai's 8 points. I await your instructions whether this should be handed to him or not. I made it very clear to him that these are suggestions by Desai and do not in any way represent His Majesty's Government's or any official views.

6. My general impression after this long interview is that Jinnah is not (repeat not) altogether averse to suggestions put forward though he did not commit himself and described them as not new.

7. I am leaving for Poona this afternoon and return here on Tuesday morning. Symington will remain in Bombay and can pass any message. In Particular, if authorized by Jenkins, he will send Jinnah copy of Desai's 8 points referred to in paragraph 5 above.

10. Gandhi to Bhulabhai Desai, 11 June 1945

CWMG, Vol. 80, p. 295.

Considering all that is happening around us, I see danger in this partnership with the League.

One thing is definite, namely, that until the members of the Working Committee are freed and can express their opinion, nothing can be done in the name of the Congress.

It is also definite that if the Chimur-Ashti prisoners and other such prisoners are hanged, the situation will become impossible. Unless the League's attitude shows a change without any expectation of gain I will have no deal with it even if the Congress Working Committee consents. This is for you yourself to think over and decide. You are in a better position to understand the truth than anybody else.

The distinction that is being made between the League Muslims and the others seems to me dangerous from every point of view. I don't think it safe to countenance any such position. Think carefully over what you said last night regarding this.

Will the 40 per cent Congress quota include any representatives of the Hindu Mahasabha or of Harijans? What about the Sikhs, Parsis, Christians, etc.? Whether you have discussed this with the League or not is irrelevant here. When the time for final decision comes, the Congress will have to consider all these points. The Congress will not be in the same position as the League. It will have to take into account all the interests in the country, whereas the League is concerned with the interests only of the Muslims supporting it. You will have to be ready to face all these complications. You will definitely not be able to bring the ship to port by disregarding the parties other than the League.

Please understand my limitations fully before you proceed further. As I have explained, my temper is progressively becoming more uncompromising. I use the word 'uncompromising' in a good sense, so take it in that spirit. Against my indifference to the Parliamentary scheme and my increasing faith in non-violent non-co-operation, you can safely place my loyalty to you. It will not let myself go beyond the limits of what I have given you in writing. But it is difficult even for me to say where my uncompromising spirit will take me, for I am coming to put ever increasing faith in the unseen Power and, therefore, I think very little about tomorrow.

I started writing this before 6 and it is 6.30 now. I will write more if anything occurs to me. Otherwise take this as fully representing my views.

What I am writing is not to solve my difficulty but with the object of helping you. To understand my writing, it is essential to know this.

The remaining 20 per cent has it only to be filled by the Congress and the League? Or by the Government? My advice is that you prepare a skeleton of the plan.

Who will appoint the Ministers of the provinces? The Congress and the League? Have you committed yourself to the League? This question is tortuous. I had discussed it with Jinnah.¹

¹ In the version of the letter given in the *CWMG*, Vol. 80, p. 295, the last three paragraphs have been omitted.



APPENDIX I

Typed Copy of the Draft and the Facsimile of the Rough Draft Desai–Gandhi Draft, 5 January 1945

Suggestions made by Bhulabhai Desai and vetted by Gandhi during Desai–Gandhi talks, Sevagram, 3–5 January 1945. Bhulabhai Desai Papers, File Nos 1–5, NMML.

The Note

I understand that the steps would be somewhat as follows:

The League agrees with us as to the composition of the Interim Government at the Centre. *The agreed nominees will be responsible to the elected legislature.*

The League agrees that if the proposal is accepted by the GG [Governor-General], the first step to be taken by the new Government will be to release the Working Committee.

On this being done, the GG will be requested to accept the composition agreed upon (with the addition of members representing other elected parties or elements).

On the GG agreeing, an Interim Government would be formed and when the Working Committee is thereafter released, you will be good enough to tell them that this step was taken with your approval.

Q. Is the agreement of the League to release the Working Committee as the first step of the new provisional Government (sufficient)?* *preliminary* proof of their *bona fides*?

If a new Provisional Government is formed while the Working Committee is still in detention, and the new Government releases them, why do you see the danger in the way of permanent solution of the Hindu-Muslim Question?

The danger lies with the LA being equivocal and two-faced

The utmost I urge is this that if an Interim Government is formed with the agreement of the League, and the team works fairly smoothly, the League may (without openly admitting it) cease to be keen on Pakistan (division of some such sort).

The Provisional Government which can be formed now with the consent of the League and GG [Governor-General] is within the frame-work of the present Act and it will consist of all Indian Representatives except the Commander-in-Chief (and conceivably a representative of the elected European group in the Assembly (which consists of eleven members), *nominated by the Congress and the League and responsible to the elected members.*¹

Have you anything to say about this?

It will be clearly understood between the Congress and the League that any measure not passed by the House shall not be enforced or sought to be enforced by any of the powers of the GG under the Constitution. (This is the import of 'responsible to the House'.)

The European member (if one has to be accepted) should be the choice of the Congress and League.

* Scored out by Gandhi.

¹ The alterations and additions in the note made by Gandhi are in his own handwriting in the original and are here given in Italics. M.C. Setalvad provided the following background to this document: Bhulabhai had made an explanatory note in his own handwriting which he showed to Gandhi when he visited him from the 3rd to the 5th January 1945. Gandhi had made some alterations and additions to this note in pencil in his handwriting. The note contains some questions in Bhulabhai's handwriting which presumably were put to Gandhi and answered by him by signs or in some other manner as it was his day of silence. See his *Bhulabhai Desai: A Biography* (New Delhi 1968) p. 255. [A photocopy of the same is placed at the end of the documents.]

APPENDIX II

Bhulabhai Desai and Liaquat Ali Pact

Facsimile of the original proposals with initials of Bhulabhai Desai and Liaquat Ali Khan for the formation of Interim Government at the Centre.

Bhulabhai Desai Papers, Subject File 7, NMML.

(a) Proposals for the formation of Interim Government at the Centre.

The Congress and League agree that they will join in forming an interim government in the Centre. The composition of such government shall be on the following lines:

- (a) Equal number of persons nominated by the Congress and the League in the Central Legislature (persons nominated need not be members of the Central Legislature).
- (b) Representatives of minorities (in particular scheduled castes and the Sikhs).
- (c) the Commander-in-Chief.

The Government will be formed and function within the framework of the existing Government of India Act. It is, however, understood that if the Cabinet cannot get a particular measure passed by the legislative assembly they will not enforce or seek to enforce the same by resort to any of the reserve powers of the Governor-General or the Viceroy (this will make them sufficiently independent of the Governor-General).

It is agreed between the Congress and the League that if such interim government is formed, their first step would be to release the Working Committee members of the Congress.

The steps by which effort would be made to achieve this end are at present indicated to take the following course:

On the basis of the above understanding some way should be found to get the Governor-General to make a proposal or a suggestion that he desires an interim government to be formed in the Centre on the agreement between the Congress and the League and when the Governor-General invites Mr Jinnah and Mr Desai either jointly or separately, the above proposals would be made desiring that they are preparing to join in forming the Government.

The next step would be to get the withdrawal of Section 93 in the provinces and form as soon as possible, provincial governments on the lines of a coalition.

(b) Desai-Gandhi Draft 5 January 1945.

Suggestions made by Bhulabhai Desai and vetted by Gandhi during Desai-Gandhi talks, Sevagram, 3-5 January 1945.

Bhulabhai Desai Papers, Bound Correspondence, Subject File No. 7, NMML.

The Note

I understand that the steps would be somewhat as follows:

The League agrees with us as to the composition of the Interim Government at the Centre. The agreed nominees will be responsible to the elected legislature.

The League agrees that if the proposal is accepted by the GG [Governor-General], the first step to be taken by the new Government will be to release the Working Committee.

On this being done, the GG will be requested to accept the composition agreed upon (with the addition of members representing other elected parties or elements)

On the GG agreeing, an Interim Government would be formed and when the Working Committee is thereafter released, you will be good enough to tell them that this step was taken with your approval.

Q. Is the agreement of the League to release the Working Committee as the first step of the new provisional Government (sufficient) preliminary proof of their bona fides?

If a new Provisional Government is formed while the Working Committee is still in detention, and the new Government releases them, why do you see the danger in the way of permanent solution of the Hindu-Muslim Question?

The danger lies with the LA being equivocal and two-faced.

The utmost I urge is this that if an Interim Government is formed with the agreement of the League, and the team works fairly smoothly, the League may (without openly admitting it) cease to be keen on Pakistan (division of some such sort).

The Provisional Government which can be formed now with the consent of the League and GG [Governor-General] is within the frame-work of the present Act and it will consist of all Indian Representatives except the Commander-in-Chief (and conceivably a representative of the elected European group in the Assembly (Which consists of eleven members), nominated by the Congress and the League and responsible to the elected members.

Have you anything to say about this?

It will be clearly understood between the Congress and the League that any measure not passed by the House shall not be enforced or sought to be enforced by any of the powers of the GG under the Constitution. (This is the import of 'responsible to the House').

The European member (if one has to be accepted) should be the choice of the Congress and the League.

APPENDIX III

Controversy Regarding Desai-Liaquat Pact

Gandhi on Bhulabhai Desai-Liaquat Ali Pact Controversy: Interview to *Hindu*, Wardha, 28 July 1945.

Hindu, 30 July 1945.

Question: According to Dr Pattabhi, the Desai-Liaquat Formula contemplated formation of a new government first, to be followed by the release of the members of the Congress Working Committee. This aspect of the Formula had been interpreted by some people as 'bypassing the Congress' and by some others as 'stabbing the Congress in the back'.

You have stated in your statement issued from Panchgani that you blessed the Formula as you thought it provided a basis for communal settlement. It is generally believed that you were consulted at every stage of the agreement. Is the interpretation put on the agreement that it bypassed the Congress, correct?

Answer: I consider the question has been addressed to a wrong person. Parties to the Formula are the best persons to say what it meant. Then what you put into Dr Pattabhi's mouth, he may repudiate. I, therefore, suggest to all reporters at all times, but most specially at this time, to be precise and accurate in what they say. There never was the slightest intention on the part of Advocate Bhulabhai Desai, on whose behalf alone I can speak, 'of stabbing the Congress in the back' or making an attempt to 'bypass' the Congress. He, himself made politically by the Congress, could never be guilty of any such intention, and, for me, I should be committing suicide if I could be a party to any such attempt. I can say this much for Advocate Bhulabhai Desai that the only intention he had was that of honourably resolving the deadlock and thereby serving the Congress. It would be wrong to say that I was consulted 'at every stage' but it would be strictly correct to say that Advocate Bhulabhai Desai saw me more than once about the 'Pact'.

Asked whether the release of the members of the Working Committee formed part of the agreement, whether it was agreed between the parties that the Muslim League alone should nominate the Muslim members of the new government and whether in view of so many statements and counter statements on the subject it would not be desirable to release the Formula for publication, Gandhiji said:

‘I think, in the foregoing, I have said as much as I could, consistently with the fact that the “Pact” has not seen the light of day. I wish that the parties had agreed to release it for publication.’

APPENDIX IV

Bhulabhai Did Not By-pass Congress: Sri Prakasa, 30 July 1945

Statesman, 1 August 1945.

Benares, 30 July. It is nothing short of a scandal that insinuations should be made against Mr Bhulabhai Desai and his *bona fides* questioned, says Mr Sri Prakasa, Secretary of the Congress Party in the Central Assembly, replying to the criticism that the Desai–Liaquat Ali Pact by-passed the Congress.

Mr Sri Prakasa says: ‘Some writers have insinuated that Mr Desai arrived at the understanding that members of the Congress Working Committee were not to be released before the Nawabzada and Mr Desai had formed the new Government.

‘Friends should not forget that the situation last winter was as dark as it could be. The members of the Working Committee may have been indifferent to their own incarceration, but those who were out felt the poignancy of the situation terribly, and were exceedingly unhappy. They worked hard to secure the release of the Working Committee members.

‘I should like to pay a tribute to Mr Desai’s arduous and persistent work against heavy odds.

‘It was clear from the formation of the Congress Ministry in the North-West Frontier Province that the British Government were willing to set up a popular Government at the Centre which could release political prisoners, as the Frontier Government had done. At that time, it seemed to be clear that the Government were not willing to take any initiative in the matter.

‘It is most unfair to interpret the condition that the first thing that the Bhulabhai–Liaquat Ali Government would do would be to release the members of the Working Committee, as meaning that they were not to be released till the new Government was formed.

We have every reason to be grateful to Mr Bhulabhai for all he did for, to say the least, it is clear that the releases and the Simla Conference were all results of his endeavours.’

APPENDIX V

Liaquat Ali Khan’s Statement on the Text of Desai–Liaquat Pact, New Delhi, 31 August 1945

Statement issued in New Delhi on 31 August 1945 giving the genesis of the Pact.

Bombay Chronicle, 2 September 1945.

Hindustan Times, 2 September 1945.

I am informed that Mr Bhulabhai Desai, Leader of the Congress Party in the Central Legislative Assembly, has told the local Press of Bombay that the so-called Desai–Liaquat Pact cannot be published as I desired that it should remain confidential. As such a statement by Mr Desai is bound to create mis-understanding, I feel I must place all the facts before the public in this

connection. Mr Desai met me after the last autumn session of the Central Legislative Assembly and we informally discussed the prevailing distressing conditions in the country, economic and otherwise, and the terrible hardships and plight of the people due to the situation that was created on account of the war. The war in Europe was raging in its full fury and there was no indication as to when it would end and it was the opinion of everyone that it will take at least two years after the termination of hostilities in Europe to bring the war to a successful conclusion against Japan. India was to be the main base of the Allies for military operations in the East against Japan, which meant greater sacrifices by the people of India and much greater hardships and privations than what they had been facing in the past.

It was recognised all round that the Government of India, with its present composition, was incapable of dealing effectively with the various problems which had arisen and were bound to arise in the future.

Mr Desai in the course of the conversation asked me about the attitude of the Muslim League with regard to some 'interim' agreement at the Centre and temporary reconstitution of the Governor-General's Executive Council in a manner which would secure for it the confidence of all the peoples so that it may be able to help them in their present plight and deal more effectively than what had been done in the past with the serious situation that was bound to arise in the future on account of the prolongation of the war. I explained to him the position in the light of the resolutions that were passed from time to time by the Muslim League in this connection and told him that my personal view was that if any proposals were made to ease the situation, the Muslim League was bound to give its very careful consideration to them, as it had always done in the past, because the Muslim League had always been anxious to come to the rescue of the people and assist them in their sad plight and help the country in tiding over the difficult period ahead. Mr Desai saw me again in Delhi in the beginning of January this year just as I was leaving on a tour of the Madras Presidency and showed me some proposals which had been drafted for the formation of an 'interim' Government was good enough to give me and which was to be treated as strictly private and confidential, and on the basis of which he told me he was going to make an effort to bring about change in the composition of the Government of India.

He told me his plan was to meet the Viceroy and Mr Jinnah in this connection. I told him that in my personal opinion the proposals were such that they could be made a basis for discussion, but I did not see any prospect of his making any headway unless he could either ask Mr Gandhi to move in the matter personally or get his definite approval and open support for the move that he was making as Mr Gandhi was the only person who could deliver the goods on behalf of the Congress in the absence of the Working Committee.

During my talks with Mr Desai, which were purely of a personal nature, I made it absolutely clear to him that whatever I had said was my individual view and I was not speaking either on behalf of the Muslim League or anyone else. If and when Mr Desai felt that he could speak with authority on behalf of the Congress, he would have to approach the President of the All India Muslim League who was the proper authority to entertain any proposals on behalf of the Muslim League. This is the history of these proposals which have been described in the press by various names such as Desai-Liaquat Formula, Desai-Liaquat Pact and so on.

I have scrupulously respected the wishes of Mr Desai and have treated the draft proposals as strictly private and confidential and have not shown them to anyone, but in view of the statement of Mr Desai and the confusion that is being created, I feel that these proposals should be published. Hence I am releasing them to the press.¹

¹ These proposals (not printed here) were identical with Document 3.

APPENDIX VI

Asaf Ali on Liaquat Ali's Statement, 1 September 1945

Statement issued by Asaf Ali at Srinagar.

Hindustan Times, 4 September 1945.

Now that Nawabzada Liaquat Ali had revealed the genesis and published the text of the formula for an interim Government one is left wondering why these facts were not disclosed to the President of the Muslim League.

In a statement issued from Bombay on January 22 last Mr Jinnah said:

All I know is that the Nawabzada when his attention was drawn to this false rumour of his having come to an agreement with Mr Bhulabhai Desai immediately characterised it as a lie and nonsense. On several occasions later on the Nawabzada himself repudiated and once he described it on the floor of the Assembly as a pure fabrication.

It is difficult to see with what object it is made public today. It serves no practical purpose now to harp on lost opportunities and unfulfilled wishes. We are now confronted by final issues and what is immediately needed is an unambiguous definition of the ultimate shape of things to enable every one concerned to come to his own conclusions. Nobody wants to hole and corner agreement between even responsible leaders of parties in their individual capacity. Matters of vital interest to masses must be clearly stated in public and every one should be given an opportunity to judge for himself.—API.

APPENDIX VII

Desai's Rejoinder to Liaquat Ali Khan's Statement, Poona, 16 September 1945

Interview to the API (Slightly abridged).

Hindustan Times, 17 September 1945.

On my return to Bombay my attention was drawn to the statement made by Nawabzada Liaquat Ali Khan regarding the Pact, the text of which has now been released to the Press. I must say that the publication agreeably surprised me. When I saw a press interview given by Gandhiji on July 28¹ in which he had suggested that the pact should be made public I immediately got into touch with the Nawabzada and suggested to him that the text be issued to the Press because the document spoke for itself and revealed all the material facts about which, I fear the Nawabzada's statement, contained inaccurate statements.

Unfortunately the Nawabzada had then not found it possible to approve of the publication of the pact. I note now that he has thought fit to publish it himself without any further reference to me. The better course perhaps, would have been for it to have been jointly issued by us with an agreed statement. The statement he has issued along with the text of the pact has given to the public a misleading picture.

In the first place, the statement fails to explain why in spite of the existence of the Pact which is now specifically admitted, the Nawabzada found it necessary during the past several months to repeatedly deny in public the existence of any sort of understanding between us. The public will realise now how embarrassing the situation was for me when the Nawabzada on the floor of the Central Assembly and in his other utterances was at pains to dispel the report that he and I had, however provisionally, agreed upon a joint course of action for resolving the political deadlock. If

I then forbore and declined to be drawn in to a public controversy, it was because I still clung to the hope of finding a satisfactory solution of our immediate problems.

The Nawabzada and I had several conversations in connection with the matter and during the course of these conversations I asked him to mention the matter to Mr Jinnah, and later on I gathered from him that he had done so after these conversations. I met Gandhiji on January 3 and 4 at Sevagram and mentioned to him the substance of the conversations and on getting his general approval I went to Delhi, had further conversations with the Nawabzada, told him that I had Mahatmaji's support in these proposals and that I would reduce them to writing.

I prepared two copies of the document and met the Nawabzada on January 11 and both the documents were initialed by both of us. He kept one of them and I have the other.² At that time also I had informed him that the substance of the proposals had been put by me before Gandhiji and he had approved of them.

The last but one paragraph runs as follows:

On the basis of the above understanding some way should be found to get the Governor-General to make a proposal or a suggestion that he desires an interim Government to be formed in the Centre on the Agreement between the Congress and the League and when the Governor-General invites Mr Jinnah and Mr Dessai either jointly or separately, the above proposals would be made desiring that they are prepared to join in forming the Government.

This quotation from the pact clearly bears out that the Nawabzada must have had conversation with Mr Jinnah otherwise the assurance therein contained could not have found place in the document initialed by him.

'This matter has ceased to have any significance now on account of its repudiation by the Nawabzada as well as by the President of the League, and I have no desire to revive the controversy but as I gather from your question that the true fact should be placed before the public, I have given this answer to remove any wrong impression which may have been created in the public mind.'—API.

¹ Gandhi in an interview on 28 July to *The Hindu* said: 'I wish that the parties had published it.'—*The Hindu*, 30 July 1945.

² See Appendix 2.

APPENDIX VIII

Liaquat Ali Khan's Rejoinder to Desai, 18 September 1945

Tribune, 20 September 1945.

It is not very pleasant to enter into a controversy publicly with regard to purely private and personal talks, but as there are certain inexactitudes in the statement of Mr Bhulabhai Desai, I am constrained to answer him.

Mr Desai always had the liberty to publish the proposals if he so wished, but he could not expect me to agree to their being published as a pact between him and myself. In his anxiety to show that these proposals were in fact a pact he states that he had prepared two copies of the document and both the documents were initialed by both of us. This is not so, Mr Desai initialed one copy and handed it to me and took my initial on the other. The copy that I have with me bears only Mr Desai's initials and it is not initialed by both of us as stated by him. It seemed rather unnecessary at the time to be so formal about it, but in the light of what has happened subsequently, I am glad that it was so.

Mr Desai states that in my statement, I have not explained why I denied publicly the existence of a pact between him and myself. The explanation is very simple: because it was incorrect to say that there was a pact and that mere proposals which were only a basis for discussion were being given the status of a pact for reasons best known to him.

In the course of the debate on the Finance Bill during the last session of the Central Legislative Assembly, a reference was made by a member of the Government to the reported existence of a pact between Mr Desai and myself. I denied this on the floor of the house and in the presence of Mr Desai in very clear and unambiguous terms. Mr Desai, who spoke after me in the Assembly, did not utter a word about it. The reason that Mr Desai has now given for his remaining silent is that he still clung to the hope of finding a satisfactory solution of our immediate problems. In other words, he depended on the existence of the so-called pact for finding a satisfactory solution, but how it could be of any help when one of the parties was openly and publicly denying it, is difficult to understand. The real reason for Mr Desai's remaining silent was that he knew that there was no such thing as a 'pact', and he did not even privately ever tell me that I was wrong in my interpretation of the position with regard to these proposals.

I am afraid Mr Desai's memory has not served him well when he says that he gathered from conversations that he had with me that I had consulted Mr Jinnah about the proposals. I never gave him that impression. On the contrary, on every occasion that Mr Desai had talks with me, I made it clear to him that whatever I said was my personal view and that I had then no occasion to consult Mr Jinnah about the matter. Mr Desai quotes a paragraph from the proposals and concludes that as Mr Jinnah's name appears in it, therefore, he must have been consulted about these proposals. This is strange logic indeed. It would mean that if a person's or party's name is mentioned in the text of some proposals, the pre-consent of that person or party to such proposals must be presumed.

If that were so, would Mr Desai be pleased to state who had given him the authority to negotiate on behalf of the Congress and come to an agreement with the Muslim League and arrive at a settlement with the British Government on the basis of terms which were opposed to the declared policy of the Congress and its considered decision, because the Congress is definitely mentioned as a part in these proposals. Had Mr Gandhi, who had told Mr Jinnah in September 1944, that he had no representative capacity and had repeatedly stated that it is only the Congress Working Committee that can speak on behalf of the Congress, clothed Mr Desai with authority to negotiate and settle on behalf of the Congress, or had the members of the Working Committee of the Congress who were detained in Ahmednagar Fort given him the necessary authority when he visited that place 'on purely professional business'.

An answer to these questions, I think will be illuminating and of great interest to the public at large.—API.



SECTION II: THE CONCILIATION COMMITTEE PRESIDED OVER BY T.B. SAPRU (SAPRU COMMITTEE)

11. Sir Tej Bahadur Sapru to Sir Stafford Cripps

Sapru Papers, File No. VI-311, Reel 6, SS, NMML.

7 January 1945
Personal & Private

My dear

I am very grateful to you for your letter of the 18th of December which I received yesterday from Sir Evan Jenkins, Private Secretary to the Viceroy. As suggested by you, I am sending this reply also through His Excellency the Viceroy so that it may reach you as quickly as possible.

I had for long been of the opinion that a committee should be appointed either by Government or by the people themselves to investigate as coolly and as objectively as possible the entire constitutional and communal problems. I did not believe that an All Parties' Conference held at this juncture would lead to useful results. During my visit to Mr Gandhi on the 9th of November last I made this suggestion to him and waited for his reaction. To my agreeable surprise he readily welcomed this idea and offered to cooperate with it. I then persuaded the Standing Committee of the Non-Party Conference to appoint his committee. Unfortunately, we have been compelled by the circumstances to make the committee somewhat larger than we originally intended. Nevertheless I can tell you that when we met for the first time in Delhi between the 29th and the 31st December last to settle certain questions of procedure and a questionnaire, every single member approached every question with an open mind and the conclusions were unanimous. We settled the questionnaire which we have now issued to the press and sent copies of it to important leaders and political associations in the country. I am enclosing herewith a copy of it¹ for your information. You will see from it what we have not excluded from our enquiry questions relating to Pakistan or questions relating to non-Parliamentary type of Government or even indirect electorates.

I am happy to say that the attitude of the Sikhs hitherto has been quite helpful and I am expecting responses from the Hindus and other minorities even though they may not agree ultimately with our suggestions. Unfortunately, however, Mr Jinnah refuses to recognize us and has refused to see me as Chairman of the Committee. Nevertheless it will not stand in the way of the committee as we have got the printed resolutions of the Muslim League, Mr Jinnah's own speeches and correspondence which has taken place between him and Mr Gandhi. I am approaching some Muslim leaders who do not belong to the Muslim League and already I have got some expressions of opinion from some of them. A committee like this to do its work thoroughly should require a fairly long time, but we have to work at great pressure under the existing circumstances. It is not intended that we shall draft a detailed Constitution. We shall discuss some of the outstanding problems affecting the Constitution with special reference to the Hindu-Muslim and communal issue.

I have been studying the Swiss Cantonal System and though I have not made up my mind with regard to that system I am approaching the whole question with an open mind. I have yet to study the Soviet system. I shall bring all these points of view to the notice of the committee. The real question of difficulty which we shall have to face will be the question of the Centre. Mr Jinnah wants no Centre of any kind. On the other hand, it is apparent to my mind that a vast majority of politicians would like to have some of a real Centre. The issue between the Muslim League and others, including the Hindu Mahasabha, is a narrow one, but nevertheless, one of far-reaching

consequences. The Hindu view is in favour of a strong Centre and this is shared by many other minorities. The Muslim League view is that there should be no Centre though they are prepared to admit, as appears from the correspondence, that there are some matters of common interest, such as, Defence, Foreign Policy, etc., but what actually is the provision which they propose to make for the administration of these subjects of common interest does not appear at all either from the correspondence between Mr Gandhi and Mr Jinnah or from the published resolutions of the League.

I should be grateful if you could kindly drop me a line referring me to the latest book on the Soviet Constitution. I have got a copy of Webb's book in my library, but if there is any other which can give me an authoritative account of the Soviet system, I should be grateful to know.

If you can, in the midst of your multifarious duties, find time to send me any suggestions with regard to the questionnaire or any of the questions, I should be grateful. You may be sure that I shall treat it as confidential.

I repeat my thanks for your good wishes for the success of the committee.

With kind regards, best wishes for the New Year.

The Right Hon'ble
Sir Stafford Cripps²

¹ See Appendix II.

² Minister of Air Craft Production and Member of the Cabinet, UK.

12. Depressed Classes' Views

Press summary of the Memorandum submitted by All India Depressed Classes League to Sapru Committee.

Amrita Bazar Patrika, 19 February 1945.

Nagpur, 17 February. In course of a memorandum to the Sapru Conciliation Committee, Messrs Jagjiwan Ram, MLA¹ (Bihar) Khandekar,² MLA (CP), President and Working President respectively of the All India Depressed Classes League, urge that all citizens be treated equal before law and all persons enjoy equal civil rights, freedom of association, press and platform and that these rights should neither be dependent upon nor restricted by the practice of religious freedom. They also urge that the organisation of economic life must correspond to principles of justice and designed to ensure for all a life worthy of human beings.

They further urge that there shall be no state religion. The League recommends the reservation of seats in the legislature, executive and Government service for various communities according to the proportion of their population and at least twenty-five per cent of the seats in any legislature for any community be reserved for ladies. Representatives of each community in the executive should enjoy the confidence of the members of the community in representative legislatures. In local bodies similar reservation should be provided for but executive posts should be held by rotation among several communities.

The Depressed Classes League suggests that there should be an independent minorities commission to deal with those rights which are not enforceable by courts of law, in the centre and in the provinces. The commission should make recommendations making the observance of untouchability in public places a cognizable offence and direct that it should not be obligatory on any person by reason of his birth in a particular caste to perform certain social, religious or public functions. The commission should also engage itself in the economic uplift of the depressed classes.

In all public service, posts should be reserved for the Depressed Classes in proportion to their population.

The Muslim League opposes Pakistan as it does not solve the Hindu-Muslim problem. There should be adequate safeguards for the Muslims. The League favours the inclusion of the Indian States in All-India Union, representation of the States being in proportion to their population, fifty per cent representatives being elected by the States subjects and the rest being nominated by the rulers.

The League further favours a clear demarcation of functions of the centre and the units and urges that subjects vitally necessary for the Unions, such as foreign affairs, defence, commerce, communications, etc., should belong to the centre, The residuary powers should vest in the units. The League favours the right of cessation being given to the units provided a resolution to this effect is passed by two-thirds majority of the members of legislature of the unit concerned and is supported by a majority in a plebiscite in which all persons qualified for electing members of legislature of the unit participate.

While favouring joint electorates, the League suggests that a depressed class candidate should not be declared elected even if he tops the poll unless he secures twenty-five per cent of the total scheduled caste votes polled. The League favours the abolition of the present panel system.

The League favours the complete Indianisation of the Viceroy's Council and the establishment of a convention that the Viceroy shall not interfere with the majority decision. Further, only defence should be reserved for the Governor-General and all other subjects should be transferred to the Executive Council.

The League supports the idea of a Constituent Assembly elected on the basis of adult suffrage for framing the new constitution.—UPI.

¹ Jagjivan Ram—Member, Bihar Legislative Assembly, elected in the provisional election held in February 1937.

² Keshavrao Ramchandra Rao Khandekar—Member, CP and Berar Legislative Assembly from February 1937.

13. Gandhi's Clarifications to Sapru

Regarding his stand during talks with Jinnah (September 1944), 26 February 1945.

Hindustan Times, 2 March 1945.

Q. In your letter of 14 September 1944 to Mr Jinnah, you said as follows: 'You, ask for my conception of the basis for a provisional interim government. I would have told you if I had any scheme in mind.' Did you never discuss even the outlines of any scheme during the course of your conversations?

A. What I told Quaid-e-Azam was the exact truth. I had no idea of what he meant, for he never told me what he had in mind. Therefore, I can answer your question by saying we never discussed the outlines of any scheme of interim government except what I have said.

Q. In answering the first question, please refer to Mr Jinnah's letter of 14 September in which he said, 'You, being the sponsor of this Gandhiji-Rajaji formula, should give me some rough idea and picture of it so that I may understand what this part of the formula means.' Did you give any reply to this? If so, what? If not, why not?

A. The foregoing answer deals with your second question.

Q. In his letter of 17 September, Mr Jinnah says that 'the word (Pakistan) has now become synonymous with the Lahore Resolution.'

Did you ask him whether in accordance with the Lahore Resolution of the All-India Muslim League, a scheme of Constitution, in accordance with the basic principles providing for the assumption finally by the respective regions of all powers such as Defence, External Affairs, Communications, Customs and such other matters as may be necessary, had been prepared? Was your attention drawn to any such scheme by Mr Jinnah?

A. No. Quaid-e-Azam's position unfortunately was that while he could come as far as seeing me and trying to convince me of his position, he, the President of the League, could not discuss details with me, a mere individual. But so far as I could gather from our conversations, he had no prepared scheme. As the correspondence shows, he had referred me to two books both of which I read, but neither of which could help me to understand Quaid-e-Azam's exact position. One thing he insisted upon was that if I first accepted the Pakistan of his conception, he could then discuss other things with me even though I was but an individual.

Q. Is it true that the real breakdown between you and Mr Jinnah came about on the question of general authority of Government? Please refer in this connection to Mr Jinnah's letter of 25 September, clause (d), in which he says, 'if these vital matters (suggested in the quotation from your letter with which clause 'd' begins) are to be administered by some central authority, you do not indicate what sort of authority or machinery will be set up to administer these matters, and how and to whom again that authority will be responsible.' Did you, at any stage, indicate to him that you wanted a Central Government or a Central Legislature to deal with a limited number of subjects, such as Foreign Affairs, Defence, Internal Communications, Customs, Commerce and the like?

A. It can be said that the breakdown took place because we could not come to an agreement on the two-nation theory of Quaid-e-Azam's. As the correspondence will show I wanted to avoid a Central Government. I suggested an authority acceptable to both the parties, but he would insist first on completion partition as between two nations and then an agreement between them as on foreign affairs, etc. He would not agree to anything simultaneous.

Q. In that very clause (clause 'd'), Mr Jinnah says, 'According to the Lahore Resolution, as I have already explained to you, all these matters, which are the life-blood of any State, cannot be delegated to any Central authority or Government.' Then he says that 'the matter of security of the two States and the natural and mutual obligations that may arise out of physical contiguity will be for the constitution-making body of Pakistan and that of Hindustan, or (any) other party concerned, to deal with on the footing of their being two independent States.' Did you understand Mr Jinnah's position to be that he intended that Pakistan and Hindustan should be completely independent sovereign States with no connection between them except by a treaty and what was the authority which could enforce the provisions of such a treaty?

A. Of course, he wanted two independent sovereign States with no connection between them except by a treaty. If any party broke the treaty, the consequence would be what has happened throughout the world up till now, that is war. Therefore, I did not ask and he did not tell me as to what would happen if either party broke the treaty.

Q. As regards the CR Formula, can you explain why Mr Jinnah was opposed to clause (2) of that formula, which demanded a plebiscite of all the inhabitants on the basis of adult suffrage or other practical franchise? Did you understand him to say that in the areas demarcated for Pakistan the minorities shall be given a chance of expressing their choice of staying in Pakistan or not being separated from the rest of the country?

A. Quaid-e-Azam would not have the plebiscite of the Muslims because he thought the League represented the Muslims of India and that the other communities should have no voice as to Pakistan which was Muslims' exclusive right wherever they were in a majority.

Q. Please refer to your proposals contained in the letter of the 24 September in which you said 'there shall be a treaty of separation which should also provide for the efficient and satisfactory administration of Foreign Affairs, Defence, Internal Communications, Customs, Commerce and the like, which must necessarily continue to be the matter of common interest between the contracting parties.' Please explain how that treaty would provide for the efficient and satisfactory administration of these matters, and whether you contemplated any machinery which could give effect to the decisions embodied in that treaty. If so, what is the nature of that machinery which you had in mind?

A. I suggested a board composed of representatives of both the States. It was to be an arbitration board with administrative powers. For the due carrying out of its decisions, it would largely or solely depend upon the goodwill of the parties or States. But I should not object to a machinery jointly devised by the two States.

Q. Have you any objection to the provinces or States enjoying the fullest autonomy with residuary powers vested in them?

A. None whatsoever.

Q. How do you reconcile Mr Jagat Narain Lal's Resolution of the All-India Congress Committee with the line that you took in regard to the division of India in the course of your conversations and correspondence with Mr Jinnah?

A. I depended first upon the decisive interpretation given by the President, Maulana Abul Kalam Azad, and secondly on my own, meaning that the Jagat Narain Lal Resolution should be read together with the others bearing on the question. For these later were not cancelled by the Jagat Narain Lal Resolution.

Q. Please refer to Appendix 'C' of the pamphlet known as Gandhi-Jinnah Talks, and send to the Committee a short memorandum explaining any point in that summary which you may consider necessary. In the connection please refer to your Press Statement dated 28 September 1944, in the course of which you stated as follows: 'In that respect the Lahore Resolution is quite sound. Where there is an obvious Muslim majority, they should be allowed to constitute a separate State by themselves, and that has been fully conceded in the Rajaji Formula or my formula.... But if it means utterly independent sovereignty so that there is to be nothing in common between the two, I hold it as an impossible proposition. That means war to the knife'. What did you mean by saying 'war to the knife', and why did you consider that proposition to be an impossible proposition?

A. 'War to the knife' is a simple English idiom. I have never known it used in the literal sense. It simply means a determined quarrel between parties. I hold that if there is nothing in common between the two or nothing which does not come in conflict with each others' culture, there can be no friendly mutual agreement.

Q. In your Press statement dated 28 September 1944, you said: 'I urge that apart from the two-nation theory, if I could accept the principle of division of India in accordance with the demand of the League, we should accept it. But unfortunately, it was just there that we split.' Please explain this more clearly.

A. I think, I am explicit enough. I meant that apart from conceding the two-nation theory, I accepted the concrete suggestion of division of India as between members of the same family and therefore reserving for partnership things of common interest. But Quaid-e-Azam would have nothing short of the two-nation theory and therefore complete dissolution amounting to full sovereignty in the first instance. It was just here that we split as I have said here in before.

Q. Are you prepared to admit that the Muslims in India are a separate nation? If so, then why do you deny the Muslims the right of having a separate independent State? If you are not prepared to admit that the Muslims are a separate nation, then on what principle do you agree to a division of India to the limited extent to which you seem to have agreed in the course of your conversation and correspondence with Mr Jinnah? In this connection, please refer to your interview to the *News Chronicle* on 29 September 1944, which is printed at page 64 of the pamphlet known as Gandhi-Jinnah Talks.

A. Although I could not agree to the two-nation theory, I agreed on the basis of members of a family desiring severance of the family tie in matters of conflict but not in all matters so as to become enemies one of the other as if there was nothing common between the two except enmity.

14. Proposals of the Conciliation Committee, 8 April 1945

Pamphlet No. 10 issued by the Conciliation Committee on 8 April 1945 and published in most newspapers in India the next day.

The Committee would have preferred that the recommendations appeared simultaneously with the report¹ giving their full implications and setting out in detail the reasons which led the Committee to adopt them, but it may take some time for the report to be prepared and published. In the meanwhile there is the risk of the publication of inaccurate forecasts and garbled versions. The Committee has, therefore, unanimously decided to release at once the text of its recommendations. It, however, would request the public to suspend their final judgment in regard to any of the recommendations until they have seen the report. It is needless to say that the recommendations do not constitute a full blue print for the future constitution. They merely indicate the outlines which the Committee feels would suit the conditions in India. They are essentially suggestions made for the consideration of the country at large.

Their proposals are confined to British India only. When the Indian States decide to come into the Union, as the Committee hopes they will, it is obvious that arrangements will have to be made in consultation with them for necessary adjustments and additions.

The recommendations of the sub-committees on Scheduled Castes and Aboriginal Tribes and on Minorities adopted by the Committee will soon be published separately.

Part I

1. Interim Arrangement

In view of the internal situation particularly relating to the economic life of the people, and in view of the rapid pace at which international events are marching, and in view of the necessity of India being represented in her own right and by her own representatives at all international conferences and peace conferences, if any, this committee strongly recommends that the following steps be taken at once:

- (1) All political prisoners and detenus be released immediately.
- (2) India should, by a Royal Proclamation, be declared an independent state and treated as a Dominion equal and in no way inferior to any other Dominion of the British Commonwealth of Nations, even though, pending the framing and coming into force of a new constitution, the Government of India may have to be conducted in conformity with the provisions of the Act of 1935 subject to minimum necessary modifications.
- (3) (a) The proclamations issued in several provinces under Section 93 of the Act should be withdrawn forthwith and the Legislatures allowed to resume their normal activities.

- (b) Popular Ministries should be re-established in those provinces and allowed to function under the provisions of the Act.
- (c) In the formation of such Ministries the Prime Minister representing the largest single party in the Legislature should be required, as far as possible, to include in the ministry persons commanding the confidence of other important parties in the Legislature.
- (4) In addition to the restoration of autonomy in all the provinces of British India, a National Government should replace the present Executive Council at the Centre. For this purpose, the committee would recommend for consideration the following two alternatives:

First Alternative

- (a) Section 5 of the Government of India Act, 1935 should be so amended as to provide for the issue of a Proclamation of His Majesty bringing into being forthwith a Federation of India without insisting on the entry of Indian States as a condition precedent as provided in sub-section (2) of the said section, Indian States being at liberty to accede to the Federation in accordance with the terms of Section 6 of the Act.
- (b) Part II of the Government of India Act, 1935 with the proposed amendments should be brought into force and steps taken immediately to hold elections to the two Houses of the Federal Legislature and to appoint a Council of Ministers in accordance with the provisions contained in that part.

Provided, however, that in the formation of such a Ministry the Prime Minister representing the largest single party in the Legislature shall, as far as possible, include in the Ministry persons commanding the confidence of other important parties in the Legislature.

Second Alternative

Schedule IX of the Act may be continued in force but should be so amended as to provide for altering the constitution and functioning of the Governor-General-in-Council on the following lines:

- (a) Except for the Commander-in-Chief who may continue to be ex-officio a member of the Executive Council in charge of war operations and matters ancillary thereto, the entire Executive Council should consist of Indians commanding the confidence of the parties in the Central Legislature, the provision in sub-section (3) of section 36 which requires that three at least of the members should be persons who have been in the service of the Crown in India for a period of at least 10 years being repealed.
- (b) No officials belonging to the permanent services shall be nominated to either House of the Central Legislature. The nominated block in each of the two Houses shall consist entirely of non-officials nominated by the Governor-General-in-Council.
- (c) In Schedule IX of the Act the provisions excluding from the control of the Legislature expenditure under the heads Ecclesiastical, External Affairs, Defence, Tribal Areas and other items, incurred by the Governor-General in his discretion, shall be repealed.
- (d) The Political Adviser to the Crown Representative should be an Indian with the rank and status of an Executive Councillor though he may not be a member of the Executive Council.
- (e) The decision as to when the general elections to the Central and Provisional Legislatures should take place should be left to the National Government at the Centre and the popular governments in the provinces.

2. Recruitment

In view of the promise of establishment of full self-government in this country at the earliest date, this Committee strongly recommends that no recruitment of non-Indian personnel for the ICS, IPS or similar services should now be made by the Secretary of State, because recruits of the required competence are available in this country and the recruitment of non-Indians would prejudicially affect the working of the future constitution.

Part II

The Constitution-making Body

3. The Constitution-making Body

The Constitution-making Body shall be constituted in the manner prescribed in Clause D of the Draft Resolution of His Majesty's Government brought by Sir Stafford Cripps subject to the following modifications:

- (1) The total strength of the body shall be 160 distributed as follows:

Landholders, Universities/Labour and Women	16
Hindus, excluding Scheduled Castes	51
Muslims	51
Scheduled Castes	20
Indian Christians	7
Sikhs	8
Backward areas and tribes	3
Anglo-Indians	2
Europeans	1
Others	1
- (2) It is because Clause D of HMG's Declaration provides for election by a joint electorate composed of members of all the Provincial Legislatures under the system of proportional representation, that the Committee has decided to recommend that, in spite of the disparity in the population strengths between Muslims and Hindus other than Scheduled Castes, the Hindu community should, in the interest of promoting national unity, agree that the representation of the Muslim community on the Constitution-making Body shall be on a par with that given to Hindus other than Scheduled Castes.
- (3) No decision shall be valid unless it is supported by 3/4th of the members present and voting.
- (4) His Majesty's Government shall enact the Constitution on the basis of the valid decisions of the Constitution-Making Body supplemented wherein necessary by its own awards on matters in which the requisite majority for decision was not forthcoming.

Part III

Leading Principles of New Constitution

4. Division of India

The committee, having considered carefully the resolution of the Muslim League passed at Lahore in 1940, the various other resolutions of the League and the published version of the talks between Mr Jinnah and Mahatma Gandhi and having also considered the CR and Gandhi proposals, is emphatically of opinion that any division of India into two or more separate, independent sovereign

states is unjustified and will endanger the peace and orderly progress of the whole country without any compensating advantage to any community, and that the political unity of India should, therefore, be maintained.

5. Indian States

Provision should be made in the constitution for the accession from time to time of Indian States as units of the Union on such terms as may be agreed upon. The establishment of the Union should not, however, be made contingent on the accession of any Indian State or of any minimum number of Indian States. The Union should be brought into being and should commence to function at the earliest possible date, even if no Indian State has acceded to it as a unit by then.

6. Non-accession and Secession

No province of British India may elect not to accede to the Union nor may any unit, whether a province or a state which has acceded, be entitled to secede therefrom.

7. Provincial Boundaries

While it is not desirable that the new Constitution should be delayed by the realignment of provincial boundaries on linguistic or cultural considerations, the Constitution Act shall indicate the machinery and prescribe the procedure for such realignment of old provinces and for the creation of new provinces after it has come into force and on such realignment or creation of provinces, all consequential amendments may be made in the Constitution.

8. Head of the State

The Committee submits the accompanying suggestions for the consideration of the Constitution-Making Body. They have been placed before the Committee by one of its members who has great experience of the administration of Indian States and of the working of the Government of India Act (1935) in relation to them. As the Indian States are not represented on this Committee and as the suggestions are of a very vital and far-reaching character, the Committee has thought it desirable to express no opinion on the merits of the several alternatives suggested, beyond stating that a clear definition of 'a Head of the State' is necessary, as the several resolutions adopted by the Committee assume the existence of a Head of the State and the exercise by him of certain powers and functions. The member responsible for these suggestions agrees that they or any variant of them involving the participation of the Indian States cannot be finally adopted except with the consent of the Indian States.

- (1) There shall be a Head of the State (that is, Union) in India who shall be the repository of
 - (a) all such powers and duties as may be conferred or imposed on him by or under the Constitution Act, and
 - (b) such other powers as are now vested in His Majesty the King of England, including powers connected with the exercise of the functions of Crown in its relations with Indian States, provided that, in relation to his powers, the Head of the State shall conform to the traditions, usages and conventions which are binding on the constitutional head of any State.

- (2) The office of Head of the State shall have a tenure of five years, and ordinarily no person may hold the office for more than one term.

First Alternative

(3) The Head of the State shall be elected by an electoral college composed of the members of the two Houses of the Union Legislature whether without any restriction as to their choice or subject to their choice being confined to the Rulers of Indian States, having a minimum population or revenue or both, to be named in a schedule to the Constitution Act.

Second Alternative

The Head of the State shall be elected by the Rulers of the Indian States referred to above from amongst themselves.

Third Alternative

The Head of the State shall be appointed by His Majesty the King of England, on the advice of the Union Cabinet, either without any restriction as to his choice or subject to his choice being confined to the Rulers of the Indian States referred to above.

(4) In case the third-alternative in para (3) is adopted and a link with the British Crown is maintained, the Secretary of State for India together with all the control that he or the British Cabinet exercises over Indian administration should, in any case, be abolished.

(5) The Head of a Unit, other than an Indian State, shall be appointed by the Head of the State on the advice of the Union Cabinet.

9. Union Legislature

- (a) The Union Legislature shall consist of the Head of the State and two chambers—the Union Assembly and the Council of State.
- (b) The strength of the Union Assembly shall be so fixed that there shall be on the average one member for every million of the population.
- (c) Ten per cent, of the total strength shall be reserved for the representation of the following special interests:
 - Landlords
 - Commerce and Industry
 - Labour
 - Women
- (d) The remaining seats shall be distributed among the following communities:
 - (1) Hindus, other than Scheduled Castes
 - (2) Muslims
 - (3) Scheduled Castes
 - (4) Sikhs
 - (5) Indian Christians
 - (6) Anglo-Indians
 - (7) Other Communities
- (e) (i) In case the Muslim community on their part agree to the substitution throughout of joint electorates with reservation of seats for separate communal electorates and in that case only this Committee would recommend that, in the interests of promoting national unity, the Hindu community should agree that in the strength of the Central Assembly excluding the seats allotted to special interests, such as commerce and industry, landholders, labour, etc., Muslim representation from British India shall be on a par with the representation given to the Hindus (other than Scheduled Castes) in spite of the great disparity in their respective population strengths.

The Committee desires to emphasise their view that if this recommendation is not to be implemented in its entirety the Hindu community should be at liberty not merely not to agree to the claim for parity of representation but to ask for a revision of the Communal Award.

- (ii) The Committee considers that the representation given to the Sikhs and Scheduled Castes in the Government of India Act is manifestly inadequate and unjust and should be substantially raised. The quantum of increased representation to be given to them should be left to the Constitution-making Body.
- (f) For the Union Assembly there shall be adult franchise for seats other than those reserved for special interests.
- (g) For the special interests, there shall be special constituencies.
- (h) There shall be direct election to the Union Assembly. As for election to the Council of State, the question shall be decided by the Constitution-making Body.

10. Distribution of Powers

Lists of the matters in respect of which the power of making laws for peace, order and good government and the functions pertaining to the administration of those laws shall fall within the spheres respectively of the Centre and the Units, shall be embodied in the Constitution Act. The detailed drawing up of these lists should be left to the Constitution-making Body. The Committee, however, would recommend that the following principles, among others, should guide the Constitution-making Body in the distribution of powers and functions between the Centre and the Units:

- (a) The powers and functions assigned to the Centre should be as small in number as possible, provided that they shall in any case include:
 - (i) matters of common interest to India as a whole, such as Foreign Affairs, Defence, Relations with Indian States, Inter-unit communications, Commerce, Customs, Currency, Posts and Telegraphs.
 - (ii) settlement of inter-unit disputes.
 - (iii) co-ordination where necessary for the legislation and administration of different Units.
 - (iv) such other matters or action as may be required for ensuring the safety and tranquillity of India or any part thereof or for the maintenance of the political integrity and economic unity of India or for dealing with any emergencies.
- (b) While all matters not assigned to the Centre exclusively or concurrently must be declared to fall within the sphere of the Units, a list of these should, for greater certainty, be given in the Constitution Act with the rider that all residuary powers—those not included in either of the two lists—shall vest in the Units.
- (c) All customs barriers between one Unit and another shall be abolished and there shall be free trade within the Union, provided that, where the abolition of existing customs barriers affects prejudicially the finances of a Unit, it shall be entitled to adequate compensation out of the revenues of the Union.

11. Union Executive

- (a) Subject to the provisions of clause (b) the executive of the Union shall be a composite cabinet in the sense that the following communities shall be represented on it, viz.,
 - (i) Hindus, other than Scheduled Castes
 - (ii) Muslims
 - (iii) Scheduled Castes

- (iv) Sikhs
- (v) Indian Christians
- (vi) Anglo-Indian
- (b) The representation of these communities in the executive, shall be as far as possible, a reflection of their strength in the legislature.
- (c) The cabinet shall be deemed to be duly constituted notwithstanding the absence from it temporarily of representatives of any of the communities mentioned in clause (a) where on account of a whole community refusing to join or remain in a cabinet that community goes without representation therein, the vacancies may, pending the availability of members of that community, be filled by appointment of members of other communities and the Cabinet commence or continue to function, provided it commands a majority in the legislature.
- (d) The cabinet shall be collectively responsible to the legislature.
- (e) The cabinet shall be led, guided and held together by a Prime Minister who shall ordinarily be the leader of a party which by itself or in combination with other parties is able to command a stable majority in the legislature. A convention should be created that the offices of the Prime Minister and the Deputy Prime Minister should not be monopolized by any one community.
- (f) The other members of the cabinet shall be appointed on the advice of the Prime Minister.
- (g) One of these Ministers shall be designated Deputy Prime Minister and it shall be a standing rule that the Deputy Prime Minister shall not belong to the same community as the Prime Minister.

Alternative

- (a) Subject to the provisions of clause (b) the executive of the Union shall be a composite cabinet in the sense that the following communities shall be represented on it, viz.,
 - (i) Hindus, other than Scheduled Castes
 - (ii) Muslims
 - (iii) Scheduled Castes
 - (iv) Sikhs
 - (v) Indian Christians
 - (vi) Anglo-Indian
- (b) The representation of these communities in the executive shall be as far as possible a reflection of their strength in the legislature.
- (c) The cabinet shall be deemed to be duly constituted notwithstanding the absence from it temporarily of representatives of any of the communities mentioned in clause (a) where on account of a whole community refusing to join or remain in a cabinet that community goes without representation therein, the vacancies may pending the availability of members of that community, be filled by appointment of members of other communities and the Cabinet commence or continue to function, provided it commands a majority in the legislature.
- (d) The cabinet shall be elected by the Central Legislature in a joint session, by the system of the single transferable vote. The elected Ministers shall hold office for the duration of the Legislature. The Legislature shall elect from among the Ministers a President and a Deputy President who shall not both belong to the same community.

12. Minister for Indian States

There shall be a Minister in charge of the functions in relation to Indian States and with him shall be associated a body of persons not less than three and not more than five in number who shall be called Indian States' Advisers and who shall be chosen in the manner agreed upon with the Indian States. The Minister shall consult the Indian States' Advisers in all important matters and shall obtain their concurrence in respect of certain matters to be specified in the Constitution Act.

13. Judiciary

- (1) There shall be a Supreme Court for the Union and a High Court in each of the Units.
- (2) The strength of judges in each of these Courts at the inception of the Union as well as the salaries to be paid to them shall be fixed in the Constitution Act and no modification in either shall be made except on the recommendation of the High Court, the Government concerned and the Supreme Court and with the sanction of the Head of the State provided, however, that the salary of no judge shall be varied to his disadvantage during his term of office.
- (3) (a) The Chief Justice of India shall be appointed by the Head of the State, and the other Judges of the Supreme Court shall be appointed by the Head of the State in consultation with the Chief Justice of India.
(b) The Chief Justice of a High Court shall be appointed by the Head of the State in consultation with the Head of the Unit and the Chief Justice of India.
(c) Other Judges of a High Court shall be appointed by the Head of the State in consultation with the Head of the Unit, the Chief Justice of the High Court concerned and the Chief Justice of India.
- (4) Judges of a High Court or a Supreme Court shall be appointed for life subject to an age-limit prescribed by the Constitution Act, but he may by resignation addressed to the Head of the State, resign his office.
- (5) (a) A Judge of the High Court may be removed from office by the Head of the State on the ground of misbehaviour or of infirmity of mind or body, if no reference being made to it by the Head of the State, the Supreme Court reports that the Judge ought on any such grounds to be removed.
(b) A Judge of the Supreme Court may be removed from office by the Head of the State on the ground of infirmity of mind or body, if on reference being made to it by the Head of the State, a special tribunal appointed for the purpose by him reports that the Judge ought on any such grounds to be removed.
- (6) As regards other matters connected with the appointment and functioning of the Judiciary, the provisions embodied in Part IX of the Government of India Act of 1935 seem suitable with such modifications as may be required for being fitted into the framework of the new Constitution.

14. Defence

The Committee strongly recommends that under the new constitution there should be a portfolio of Defence which should be held by a Minister responsible to the Legislature and that the actual control and discipline of the Army should be placed in the hands of a Commander-in-Chief under the new Government.

The Committee further recommends that a national army should be created and developed as rapidly as possible. It is unable to suggest at this stage what the strength of this army should be as

this will depend apart from the vital question of finance on a number of other factors, such as, the nature of the post-war world settlement and the efficacy of the international organization for the maintenance of world peace. Among the measures which should be adopted for the creation of such an army, the Committee recommends the following:

- (1) (a) Such British Units as temporarily may be required for the efficient defence of India and such British officers as may be needed for officering the national army until an adequate number of Indian officers becomes available shall be obtained by a treaty or agreement entered into between the Union Government and His Majesty's Government, specifying, among other things, the terms and conditions of their employment by the Union.
- (b) As soon as the war is over all direct recruitment of British officers to the Indian Forces should cease. Such British officers as do not belong to the Indian Army and are not required for specific appointments should be reverted to the British Army establishment.
- (2) An institution should be established for the training in sufficient number of officers of all the three arms—Air, Land and Sea—and all defects existing in the present system which prevent rapid Indianisation or the creation of Indian officers capable of assuming leadership should be forthwith removed.
- (3) If it is found that the present educational system does not produce a sufficient number of young men suitable in every respect for a military career, steps should be taken at once to remove this defect.
- (4) The University Officers' Training Corps should be established where they do not exist and largely expanded and measures taken not only for ensuring supply of officers to fill vacancies in peace time but for the rapid expansion of the cadre in the event of a military threat to India. Such measures should aim at creating a reserve of young men with service training who can be rapidly absorbed as officers when expansion takes place.
- (5) The Committee would emphasize that the maintenance of law and order is essentially the responsibility of the Unit governments and that they should if necessary, by increasing the strength of their police forces, equip themselves adequately for the discharge of this responsibility. The Committee would, however, make it clear that the services of troops on the Union Army establishment should be available for being requisitioned only when the civil power finds itself unable to cope with any particular situation.

The Committee further recommends that a balance should be maintained between the respective arms and that special attention should be paid to Navy, Air Force, mechanized units and such other branches as may be from time to time developed.

The Committee recommends that steps should be taken, even before the coming into being of the new constitution, to adopt and give effect to the measures as far as practicable.

15. Representation in Public Services

The orders now in force at the Centre regarding the representation of communities in the Public Services may continue in operation till the Union Government under the new constitution comes into being. The Committee, however, recommends that the $8\frac{1}{3}$ per cent of the seats now allotted to the Sikhs, the Indian Christians, and the Anglo-Indians and Parsis may be split up between the Sikhs, the Indian Christians and the Anglo-Indians and Parsis in the proportion of $3\frac{1}{2}$ per cent for the Sikhs, 3 per cent for the Indian Christians, and $1\frac{5}{6}$ per cent for Anglo-Indians and Parsis. The special provisions relating to Anglo-Indians in certain services under section 242 of the Government of India Act of 1935 are not to be affected by this recommendation.

16. Public Services Commission

The Chairman and members of the Union Public Service Commission shall be appointed by the Head of the State in consultation with the Prime Minister. The Chairman and members of the Public Service Commission of Units shall be appointed by the Head of the Unit in consultation with the Prime Minister of the Unit.

17. Fundamental Rights

A comprehensive declaration of fundamental rights should be incorporated in the future Constitution of India assuring (a) the liberties of the individual, (b) the freedom of Press and association, (c) equality of rights of citizenship of all nationals irrespective of birth, religion, colour, caste or creed, (d) full religious toleration including non-interference in religious beliefs, practices and institutions, (e) protection to language and culture of all communities. It should further contain specific declarations on the lines indicated in the reports of the Scheduled Castes and Minority Sub-Committees, for the complete abolition of disabilities imposed by tradition and custom on the Scheduled Castes and the safeguarding of special religious customs like wearing of Kirpans by the Sikhs. The precise formulation of these rights should be undertaken by a special committee of experts at the time of the framing of the new Constitution.

18. Minorities Commissions

- (a) The Constitution Act shall provide for the establishment at the Centre and in each of the provinces of an independent Minority Commission which shall be composed of a representative for each of the communities (not necessarily a member of that community) represented in the Legislature.
- (b) Subject to the possession of such qualification or experience as may be prescribed, the member representing each community who need not necessarily belong to the same community shall be elected by members of the Legislature belonging to that community.
- (c) No member of the Legislature shall be eligible for membership of the Commission.
- (d) The term of office of members of the Commission shall be the same as, and synchronize with, the term of office of members of the Legislature concerned.
- (e) The functions of the Commission shall be:
 - (i) to keep a constant watch over the interests of minority communities in the area.
 - (ii) without attempting to deal with stray administrative acts or individual grievances, to call for such information as the Commission may consider necessary for discharging their functions.
 - (iii) to review periodically—for example once every six months—the policy pursued in Legislation and administration by the Legislature and the Executive in regard to the implementing of non-justiciable fundamental rights assured by the Constitution to minority communities and to submit a report to the Prime Minister.
- (f) The recommendations of the Commission shall be considered by the cabinet and the Prime Minister shall, as soon as possible, place the report of the Commission before the Legislature with a full statement of the action taken or proposed to be taken in pursuance of the recommendations of the Commission. In case any of the recommendations are not accepted wholly or in part, the statement should also contain full explanations of the decisions taken by the Government. Facilities shall be provided to the Legislature for a discussion of the report and the decisions of the government thereon.

19. Minorities in the Punjab

The Committee recommends that the case of the Sikhs, the Hindus and the Indian Christians relating to their representation in the Punjab Legislature should be examined with the utmost care by the Constitution-making Body.

20. Amendment to the Constitution

The intention to make a motion in the Union Legislature for an amendment of the Constitution shall be notified to the public and such motion shall not be taken up for consideration by the Legislature until the expiry of at least six months from the date of such notification. It shall not be deemed to have been approved by the Union Legislature unless it has secured the support in each of the two chambers of the majority of not less than two-thirds of the Units.

Provided that no amendments shall be made at all for a period of five years from the coming into force of the new constitution in respect of Vital provisions of the constitution which should be listed in a schedule to the Constitution Act.

Amendments of a purely formal character may be decided through the ordinary process of Union Legislation.

Part IV

HMG's Final Recommendation

21. Appeal to Country

The Committee recommends that the principles here enunciated constitute a fair and effective basis for political settlement in India. It strongly recommends to all communities and parties to accept them, and in particular to the majority parties in provinces now administered under Section 93 of the Government of India Act of 1935 to assume constitutional responsibility. In the event of these proposals being unacceptable to the various communities and parties and their failure to reach an agreement on any other basis, His Majesty's Government should set up an Interim Government of India and proceed to establish machinery for drafting the new constitution generally on the basis of the principles underlying these proposals, enact it in Parliament and put it into operation at the earliest possible date.

(Note: Mr N.M. Joshi did not agree with the resolutions 4 and 6 as they stand at present.)

¹ The Report was published in December 1945 under the title *The Non-Party Conference: The Report of Conciliation Committee* (Sapru Committee Proposals), 1945.

15. Chimanlal Setalvad Welcomes the Sapru Committee's Proposal on Indian Unity, 9 April 1945

Bombay Chronicle, 10 April 1945.

Bombay, Monday (9 April 1945)

Sir Chimanlal Setalvad in the course of a statement on the Sapru Committee's recommendations welcomes the proposal regarding unity of India but says that the proviso for abolition of separate electorates will never be accepted by the Muslims.

Sir Chimanlal says: 'The Sapru Committee's verdict against the division of India will be endorsed by many thinking people in the country.'

‘In order to avoid separation, one would be willing to go the farthest length to reassure the Muslims that their interests will be completely safeguarded in one united India. For that purpose, I would be prepared to give parity of representation to Hindus (excluding the depressed classes) and Muslims in the Central Legislature and the Central Executive.’

‘The Sapru Committee, however, makes this parity conditional on joint electorates instead of the present separate electorates. It is absolutely certain that the Muslims will never accept that condition at present. One only hopes that when the Central Legislature and executive are jointly run by Hindus, Muslims and other interests working together as a team and mutual confidence is restored, that genuine democracy may be established some day in India.’

16. *Tribune* on Sapru Committee Proposals

(i) Editorial, *Tribune*, 10 April 1945.

We need hardly say that to those of us who have been looking forward to the establishment of democratic Swaraj in India, the Sapru Committee’s constitutional proposals, which we published in our issue of Monday, 9 April 1945, will for the most part cause great disappointment. What the interests of India and of democratic Swaraj imperatively require, as we said in our issue of Saturday, is a non-communal Government constituted on a democratic basis, both at the Centre and in the provinces. What the Sapru Committee has proposed for India, on the other hand, is an all-community Government responsible to an all-community legislature, with this difference that the members will be elected by constituencies of the joint electorates instead of by separate communal electorates. The difference is undoubtedly substantial and will partially mitigate the evil of communal representation, but obviously a Government constituted on this basis can never be a substitute either for a National Government properly so called, or for a democratic Government.

Nor can even joint electorates reconcile a community like the caste Hindus, which is numerically more than twice as large as the Muslim community, to parity of representation with the latter, whether in the Legislature or in the Executive Government, even though they may partially minimize the injustice by giving the majority community a voice in the election of members belonging to the minority community, even as the minority community itself will have a voice in the election of members belonging to the majority community. This arrangement, while on the one hand it will prevent the election of communal fanatics on either side, will from the point of view of the communities themselves, be open to the criticism that it will prevent their choice from being free and unfettered. It will surely be no advantage, from the purely communal point of view, to the 56 per cent caste Hindus to have the same voice in the election of the 40 per cent Muslim members which the 23 or 24 per cent Muslims will have in the election of the 40 per cent Hindus members of the Central Legislature. There is nothing in this arrangement to counteract the injustice done to the Hindu community, as a community, by reducing its quantum of representation from 56 to 40 per cent and raising the representation of the Muslim community from 23 or 24 to 40 per cent.

Communal representation is either a blessing or a curse. If it is a curse, there is no point in, and no justification whatever for, inflicting it on a community which has never asked for it. If it is a blessing, there is no justification for depriving a majority community of its majority and reducing it to a position of equality with a community which has less than half its strength in the population of the country. As we stated in a recent issue, the only alternative to a religious majority rule, which is undoubtedly an evil both from the national and from the democratic point of view, is neither a religious minority rule, nor a rule in which the majority community is artificially deprived of its majority and reduced to a position of equality with the minority or minorities, whose strength

in the population is much smaller than its own, but a non-communal Government responsible to a non-communal Legislature. If and as long as you make communal representation the basis of the State, the majority community, whether at the Centre or in the provinces, must retain its majority. With joint electorates, it can, and may be persuaded to, accept a reduced majority, but in no circumstances can it agree to accept a position of inferiority to the minority or minorities or even one of equality with them.

In making this criticism we are not oblivious of the outstanding facts of the case. In this matter of communal representation the Sapru Committee has not a clean slate to write upon. Communal representation has in one form and degree or another, been the basis of the constitution in India for more than thirty-five years. The British Government and a section of one of the principal communities have no doubt been the primary offenders in this matter, but all political organisations in the country, including the Congress, and all communities, including the Hindu, have in one form and degree or another been consenting parties to the mischief. The evil has now assumed such formidable proportions that in one quarter there is a loud and persistent cry not only for communal representation from top to bottom in every public institution and in all walks of life, but the actual division of India on a communal basis, so that the two major communities, at any rate, may give the fullest play to their communal ambitions and prepossessions. A position has thus been reached in which no agreed decision on the constitutional issue seems possible except on the basis of a compromise with communalism. It is no easy thing for any committee or organisation to undo so colossal an evil with a single stroke of the pen and to decree that henceforth communalism in any form or shape shall cease to be the basis of the State. For our part we have made no secret of our belief that some day this will have to be done by some one invested by the nation and in its own best interests with dictatorial powers, as Mustafa Kemal Pasha did to some extent and I some vital matters in modern Turkey. But the Sapru Committee or any other body in the present circumstances cannot claim such power or authority. It has in a very large measure to accept things as they are, and no blame or censure can possibly attach to it for doing so, provided it tries to make the best of a bad case and is alive to the danger of the present position and tries to show, within the limits of its opportunities, the way out of that position.

Our chief complaint with regard to the Sapru Committee's proposals is, first, that while in some matters it has undoubtedly tried to make the best of a bad case, it has not done so in other matters, and secondly that it has nowhere thrown out any suggestion as to the time when and the manner in which India is to get out of the communal morass in which it finds itself foundering today. Twenty-seven years ago, the authors of a purely official report frankly and courageously admitted that 'division by creeds and classes means the creation of political camps organised against each other and teaches men to think as partisans and not as citizens,' that 'it was difficult to see how the change from this system to national representation was even to occur,' and that if the British Government divided the people of India into such camps 'at the very moment when it professed to start them on the road to governing themselves it would find it difficult to meet the charge of being hypocritical or short-sighted.' Today we find a committee of distinguished Indians, whose patriotism is as undeniable as their wide experience of men and things, committing themselves to proposals calculated to perpetuate the very evil which was depicted in such candid terms by Mr Montagu and Lord Chelmsford. The least that we had a right to expect from such a body was clear and unambiguous declaration that their proposals were only for a minimum transitional period, and that on the expiry of that period India should become a purely democratic State in which religion would be completely divorced from politics, and men and women would live and act in purely political matters as Indians and not as Hindus, Muslims and Christians. Not only do we find no such declaration in the published proposals, but the actual proposals are

calculated not only to stereotype communalism as the basis of the State, but to aggravate the evil of communal representation by extending it from the legislative to the executive sphere.

Another thing, which the Committee appears to have overlooked, is the corrupting and demoralising effect of an extensive system of communal representation in the Legislature and the Executive, and the distribution of power as between the two major communities and the several minor communities and classes. A Government constituted on the basis on which the Central Government is proposed to be constituted can never be a strong or efficient Government not only because of the communal composition of the Legislature and the Cabinet, and the liability of some of the members of the two bodies, at any rate to be unduly influenced in purely communal matters by the extreme elements in their respective communities, but also because the two major parties will in the main be so evenly balanced that it will always be in the power of the opposition by winning over one or more of the minor parties to its side, to overthrow the Government. The history of Britain in the days when the Irish Home Rulers held the balance of power between the Liberals and the Conservatives in the British House of Commons is a perpetual reminder to this danger. In our own country, the same tendency has been at work in some of the provinces in which the two main parties are more or less evenly balanced. If this has happened at a time when the powers of the Legislature and the ministry are strictly limited, it is not difficult to foresee what will happen when they are in possession of more or less sovereign power and authority.

(ii) Editorial, *Tribune*, 11 April 1945

If the constitutional proposals of the Sapru Committee are open to criticism on the grounds on which we have considered it our duty to criticize them, some of its other proposals are not only unexceptionable, but highly commendable. In the forefront of these must be placed its condemnation of the Muslim League's proposal for the partition of India on a communal basis. 'Any division of India into two or more separate, independent, sovereign states,' says the committee, 'is unjustified and will endanger peace and orderly progress of the whole country without any compensating advantage to any community.' As a statement of the case against Pakistan this is not, and is clearly not intended to be, exhaustive, but no condemnation of the proposal could have been either more definite or more unequivocal.

It is, indeed, obvious to all unprejudiced minds that it is in order to rule out the possibility of that utterly anti-national and anti-democratic proposal being seriously considered that the Committee has gone out of its way, in our opinion wrongly, to suggest equality of representation alike on the Constitution-making body, the Central Legislative Assembly and the Central Executive, for Hindus other than the Scheduled Castes on the one hand and Muslims on the other, in spite of the great disparity of their respective population strengths. That the Committee is fully alive to the injustice of the proposals, the very words in which it is couched go to show, but it does call upon the Hindus' community to accept the arrangement for the sake of maintaining and promoting national unity. What the Committee does not realise, however, is that true national unity cannot possibly be brought about by an arrangement which deliberately favours one community at the expense of another and which does not hold out any prospect of this undue differentiation between one community and another being terminated at any time in the future. National unity, after all, must be above all other things a unity of hearts, and no practical-minded person can expect a unity of hearts to be built on a manifestly and permanently unjust foundation. Burke's famous dictum that 'whenever a separation is made between liberty and justice, neither is safe' holds equally true in this case.

On one point, happily the committee leaves no room for doubt or equivocation. Its recommendation of this admittedly unjust arrangement to the Hindu community is definitely

contingent on the Muslims as a community agreeing to the substitution throughout of joint electorates with reservation of seats for separate communal electorates. As we have said already, this makes a substantial difference in the position. It does not, however, by itself either neutralize the injustice to the Hindu community or make the proposal acceptable to the advocates of democratic Swaraj. The least that is necessary to satisfy the former is that it should not be completely deprived of its majority, even though the majority may be substantially reduced, and the least that is needed to satisfy the latter is that the duration of the communal basis and composition of the State should be subject to a specific time-limit, on the expiry of which it should automatically come to an end. Neither nationality nor democracy can have either meaning or reality on any other basis.

Another commendable feature of the proposals is as regards the nature and conditions of Federation. In this matter, progressive opinion in the country is entirely and unreservedly on the side of the Committee's main recommendations. While it wanted provision to be made in the constitution for the accession from time to time of Indian States as units of the Union on such terms as may be agreed upon, it is emphatically of opinion that the establishment of the Union should not be contingent on the accession of any Indian State or of any minimum number of Indian States. The Union, it says, should be brought into being and should commence to function at the earliest possible date, even if no Indian State has acceded to it as a unit by then. This is indeed, the only way in which the Federation can come into being. To make its establishment conditional on the accession of one or more of the States, which must in the nature of things be voluntary, would be not only to defer the establishment of the Federation to an undefined and indefinable future, but to place the destiny of India entirely in the hands of the States and to invest the autocratic Princes with the power of veto by making it possible for them to lay down their own terms, however unreasonable or even absurd those terms be, for accession to the Federation. On the other hand, if the Federation is brought into being independently of their wishes, the Princes will, within a short time find it to their own obvious interest to accede to it on mutually agreed terms. Reason, prudence and commonsense alike, will dictate this course to the Princes not only as the best but the only course open to them, because the expectation that the British Government after ceasing to have any part or lot in the administration of India will remain in India only to exercise its paramountcy over the States is a manifest absurdity.

As regards the provinces of India the Sapru Committee is equally emphatic in its opinion that none of them shall have any option not to accede to the Union. They are not and have never been separate States. For them the Federation would only mean a change in the constitution and character of the Central Government, and a change for the better in their own relationship with it. The establishment of the Federation, in fact would be only a further stage in the process of India's national self-fulfilment. For any Indian province to say that it shall not accede to the Federation is to forswear the allegiance to and its membership of the nation. Lastly, the committee is on firm ground, despite Soviet Russia's example to the contrary, in maintaining that no unit of the Union, whether a province or State, which has acceded, shall be entitled to secede from it. As we have said more than once, the USA's example appears to us to be far better worth following than the Soviet example, which is yet to stand the test of time.

Among other commendable features of the proposals is the absence of any provision for the extension of the vicious principle of communal representation to the highest judiciary, whether the High Courts or the Supreme Court. The appointment of the Judges of these courts and their removal from office, if and when necessary, are to follow substantially the same lines as exist in other democratically governed countries. As regards the Public Services, however, the committee seems to prefer the line of least resistance and suggests that the orders now in force at the Centre

regarding the representation of communities in Public Services may continue in operation till the Union Government under the new Constitution comes into being. This is perhaps unavoidable in the actual circumstances of the case, but in view of the havoc which the operation of the communal principle has worked and the widespread demoralization it has caused, it seems to us to be imperatively necessary to find a speedy way out of the present deplorable situation. The recommendation that a comprehensive declaration of fundamental rights should be incorporated in the future constitution of India as regards the liberties of the individual, the freedom of the press and of association, equality of the rights of citizenship of all nationals, irrespective of birth, religious toleration, including non-interference in religious beliefs, practices and institutions, and protection to the religions and cultures of all communities, and further that it should contain a specific declaration for the complete abolition of disabilities imposed by tradition and custom on the Scheduled Castes and the safeguarding of special religious customs like the wearing of Kirpans by the Sikhs, follows the lines of similar recommendations made by other Committees in the past, and has the unanimous backing of the whole country. Lastly, in a special resolution regarding this province [Punjab] the Committee recommends that the case of the Sikhs, the Hindu and the Indian Christians relating to their representation in the Punjab Legislature should be examined with the utmost care by the constitution-making body. There is not the least doubt that these communities have a real and serious grievance, and as long as the communal basis of the constitution remains, the removal of this grievance is an imperative necessity. In these and other matters, the Committee has made recommendations which deserve and will doubtless receive serious consideration both from the British Government and from Indian political parties and organisations.

17. B.S. Moonje Criticises Sapru Proposals

B.S. Moonje Papers, File No. 81/1945, NMML.

B.S. Moonje's statement to the Press in connection with the Sapru Committee's recommendations, Nasik, 11 April 1945.

What has the Sapru Committee gained beyond getting so many leaders, supposed to belong to no party, committed to division of authority in India on the basis of equal shares between the Hindus and Moslems, irrespective of others, which means that 75 per cent of Hindus are equal in value to hardly 22 per cent of Moslems in India? Is it not a complete and barefaced negation of democracy? What will the Hindus gain by such self-abnegation in the matter of its just and rightful political domination? Will Mr Jinnah and his Muslim League embrace Hindus in quarrelling with the British Government for Independence? Why should the Moslems antagonize the British and lose for ever the chance of securing Pakistan through the good graces of the British, if they were inclined to oblige them? The Indian Union is already there from time immemorial, and who has got the strength and power to coerce the British to refrain from dividing India if they ever be so inclined? If Mr Jinnah is not to be placated, or even if he be satisfied, then has the Sapru Committee power to compel the British Government to part with power if they were to be not so inclined? If not, then why should the Hindus be asked to make such a needlessly tremendous sacrifice? So far as the fear of the prospective division of India is concerned, the Federal Constitution of 1935 is already there. What more has been gained by paying such a heavy price as the virtual negation of democracy and the most suicidal self-abnegation of the Hindus in giving up their just rights of majority domination?

If the Constitution is to be framed on the lines suggested by Sir Tej Bahadur Sapru in his Conciliation committee, it clearly means that the Hindus should first commit political suicide and

allow the Moslems and Christians combined to gain supremacy in the administration of India, and they should next also agree to communal suicide resulting from the possible diabolical use of political supremacy for promoting their proselytizing activities. The Moslems and Christians in association with foreign missionaries are the two proselytizing communities in India and they can easily join hands on some understanding to out-vote the Hindus and to concentrate all political power in their own hands. The Scheduled Classes will naturally cast in their lot with such a powerful combination as of the Britishers, Moslems and Christians, as is seen practically in Bengal. If this state of things continues then it does not require much of an intelligence to predict that the whole of India within the next twenty-five years that is, within the period of 3 censuses, will be a Pakistan with a corner of Christianstan in it. The Rt. Hon. Sir Tej Bahadur Sapru is a Hindu himself and a Brahmin to boot. But if Hindus want to drown themselves in the Indian ocean who can prevent them? If this is to be called the National Government, then God save us from our friends and we shall be better off in the Hell in which we are at present. Let the Hindus rise in revolt to a man to give a burial, decent or indecent, to this report of the so-called Conciliation committee. The Hindu Mahasabha will rise to the occasion and give the lead.

18. *People's War* on the Sapru Proposals

Editorial, *People's War*, 15 April 1945.

The final proposals of the Sapru Committee have confirmed worst suspicions. In his hunt for unanimity, Sir Tej seems to have gone in for unprincipled compromises and sacrificed the very problem of national unity which he set to solve. He has allowed himself to be routed by Hindu reactionaries like Dr Jayakar who have unmistakably put their reactionary impress on the Committee's proposals.

The formation of the Committee was announced with fanfare and advertisement. In the words of Sir Tej: 'The whole object of the Committee was to understand the view-point of each party and to act as a sort of conciliation board by establishing contact with leaders of all parties and then to recommend some solution which they thought fit on their own responsibility.' Sir Tej and his colleagues knew very well then that the main task before them was to bring about an understanding between the Congress and the League and lay the foundation of national unity. It was a noble and sacred task. It was undertaken by Sir Tej immediately after the breakdown of Gandhi-Jinnah talks, when despondency and despair had seized hold of the country. It required great courage to undertake a mission in which both Gandhiji and Jinnah Saheb had failed. That is why patriots encouraged Sir Tej and wished him success.

Sir Tej and his associates, however, have betrayed the trust of those who relied on their impartiality and experience. Instead of promoting national unity they have helped disruption. Instead of bridging the gulf between the Congress and the League, their proposals would only widen it and encourage those who wish to fight the League at all costs.

What has the Committee to say on the fundamental question of Pakistan—which must be solved if national unity is to be achieved? How does it discharge its sacred task of bridging the gulf between the Congress and League? By a shameless and one-sided rejection of the demand of Pakistan?

The Committee observes, 'any division of India into two or more separate independent sovereign states is unjustified and will endanger the peace and orderly progress of the whole country.'

This is how Sir Tej and his associates play their role of conciliators. In fact, they want Gandhiji to go back on what he accepted in his talks with Qaid-e-Azam Jinnah, and even repudiate the

resolution passed by the Congress Working Committee at Delhi in 1942. While Gandhiji has moved from a summary rejection of Pakistan to a discussion of the question on its own merits, Sir Tej and Company want to reject it out of hand and uphold their rejection as a master piece of non-partisanship and impartiality.

The task before the Sapru Committee, if it were to play the role of a unifier, was precisely to smoothen the difficulties in the way of recognition of this right and its implementation. The task was to allay the fear of the Muslim nationalities by advocating recognition of their unfettered right to have independent and sovereign states; and remove the fear of the Congress by suggesting steps for a free and voluntary Indian union of independent states.

Instead, the Sapru Committee supports the disruptive cry for Akhand Hindustan and joins the anti-unity camp of Hindu Sabha reactionaries. It has learnt nothing from the history of the last four years when every attempt to thwart or by-pass the just right of self-determination has only led to internal disruption, strengthening the bureaucratic stranglehold over the country and heaping famine and ruin on the people.

After this which Muslim will believe in the bonafides of the Committee and its other recommendations which provide for a composite government at the Centre and weightage of seats in the legislatures. They are bound to be looked upon as an attempt to bribe the Muslims into giving up their fundamental right of self-determination.

What if the Muslims refuse to agree to these conditions? The Sapru Committee has a remedy ready even for this eventuality. It calmly suggests that His Majesty's Government should impose a constitution based on these recommendations in case the parties do not come to an agreement. This unashamed appeal to imperialism betrays the mentality of these imperialists. They would seek the aid of His Majesty's Government rather than agree to the just demands of our Muslim brethren.

The Sapru proposals are the most disruptive proposals made by any body of Indians in recent times. They do not constitute an impartial verdict of honest conciliators. To support them is to enable the bureaucracy to play the game of divide and rule, invite fratricidal war between the Congress and the League and undo the understanding that is growing between the two organisations.

Congressmen should not allow themselves to be deceived by the Committee's proposals vis-à-vis the Government. For they have no meaning so long as an understanding with the League is not achieved. Congressmen and Leaguers alike must denounce the proposals as the voice of the nation's disruptors—the Hindu Sabhaites and imperialists. Congressmen especially must remember that the Sapru proposals constitute an appeal to imperialism against national unity, against our Muslim brethren which no honest man can support.

19. Opinions by Raja Sir Maharaj Singh, C.P. Ramaswamy Iyer, Jamiat Ulema-i-Hind, T.R. Venkataraman Shastri and Master Tara Singh, 12 April 1945

GOI, Home Dept, Poll (1) Branch 1945, File No. 97/45/ Poll (1) NAI.

1. Raja Sir Maharaj Singh, Leader of Indian Christians, Lucknow, 12 April 1945

I am in general agreement with the proposals.... Both as a Liberal and as an Indian Christian, I am of opinion that a united India is greatly to be preferred to a partitioned one. The latter would not really solve the communal problem. As a member of a minority community, I appreciate the generosity of the Hindu members of the Committee under the President, who is the least communal-minded person in India that I know, in giving weightage to minorities and even more in the

proposed appointment of Union and Provincial Minority Commissions. Full religious toleration—a comprehensive term—has also been recommended. Personally, though I am in favour of joint electorates, I would not insist on them for Muslims as a condition precedent to an equal number of seats for them in the Union Assembly with Hindus, excluding Scheduled Castes. Further, while we should start with a united India, I would not object to the right of secession being granted to a unit after, say, fifteen or twenty years.—API.

2. Sir C.P. Ramaswamy Iyer, Dewan of Travancore, Trivandrum, 12 April 1945

Paramountcy can and should be exercised in future only by an authority in the selection and working of which Indian States should have a definite voice commensurate with their position and possibilities. It is a matter for profound satisfaction that the obvious impossibility of Pakistan as an ideal has been emphasized by the Committee. But the elimination of separate electorates, however ideally desirable, is sought to be attained by the grant of parity in the Centre which, whatever other advantages it may have in abstract theory, is not likely to be feasible in practice and is open to objection that the minority is being pushed into equality with the big majority. It is not clear why Scheduled Castes should suffer so definitely in comparison with the Muslims. The Committee have unfortunately not faced the problem of continuity of the executive and its freedom from collapse as the result of constantly recurring party manoeuvres and votes of censure.... The recommendations of the Committee, are, however, avowedly provisional and intended as a basis for discussion and they represent a notable achievement in the direction of constitution building a body of detached and impartial publicists.—API.

3. Jamiat Ulema-i-Hind: Resolution of the Working Committee, Delhi, 14 April 1945

The denial of the right of self-determination, the proposal for separate representation for the Scheduled Classes, the composition of the Government of free India and details relating thereto are unsatisfactory features of the Committee's recommendations and, as these proposals are opposed to the creed of the Jamiat Ulema-i-Hind and their resolutions, the Working Committee is of the opinion that these recommendations are not in the interest of India and are not a real solution of India's problem.—API.

4. Liberal Federation of India: Statement by T.R. Venkatrama Sastri, President, Indian National Liberal Federation, Madras, 15 April 1945

The proposals of the Sapru Conciliation Committee are about as satisfactory as they can be made in the disunited condition of our people.... That the Sapru Committee pay a very heavy price for securing the co-operation of the Muslims is true.... That they have firmly negated the demand for a division of the country is a matter for satisfaction.... The offer of parity even with joint electorates is so grave an injustice to the Hindus, that its description as appeasement and blackmail is not surprising. If one ultimately yields to the suggestion, it must be only in recognition of the importance of the immediate ends and their urgency... I should insist on a period being fixed at the expiry of which equal citizenship should emerge automatically without further legislative action. Parity for all time even with joint electorates is unthinkable.... Will not more natural coalitions emerge from the free play of real political forces than those imposed under the artificial rule of proportionate representation on the cabinet of all the groups? The proposed composite cabinet will be inefficient without any common bond of principle or policy.—API.

5. Statement of Master Tara Singh, Sikh Leader, Lahore, 18 April 1945

The special Sikh position seems to have been ignored by the Committee. The Sikhs claim the Punjab as their homeland. To bracket the Sikh with the Hindus and the Christians in the Punjab is simply absurd. If communalism continues for some time—as I have no doubt that it will—the Muslims in the Punjab are sure to direct their real attention to breaking the back of the Sikhs, as they have been doing since the advent of the co-called Unionist regime here. I do not understand why the Sapru Committee did not consider it necessary to definitely state that the statutory Muslim majority in the Punjab should be abolished and the proportion of the three major communities should be such as no single community may dominate. If the Hindu majority in the Central Legislature can be done away with, for the sake of the Muslims, why can't the same thing be done for the Sikhs in the Punjab? The Sapru Committee proposes a Minorities Commission. But what it gives with one hand, it takes away with the other. It gives the final decision of the recommendations of the minorities commission in the hands of the Legislature which in practice means the majority community. Where is the need of this farce?—API.

20. N.B. Khare's Telegram to the Viceroy on the Sapru Proposals, 19 April 1945

N.B. Khare Papers, File No. 40-(1), NAI.

As one of your Hindu colleagues (who can claim to speak for Marathi-speaking Hindus, one of the politically and intellectually most advanced sections of Hindus) I deem it my duty to urge for your considerations following aspects of Sapru proposals:

- (1) Muslims forming 25 per cent of total population of India are to be equated with caste Hindus forming 55 per cent of total. There is no parallel in democratic government to such reduction to minority of intellectually, politically and otherwise most enlightened section of population of a country.
- (2) Such disproportionate weightage to a minority and statutory permanent deprivation of majority of their natural weightage can never achieve main object of constitutional settlement, namely conciliation of claims of all communities culminating in establishment of progressive and orderly self-government in the country. Human nature being what it is, large elements, if not a majority, of Caste Hindu population are bound to remain unreconciled to the unparalleled and undemocratic handicap imposed on them. Their struggle to regain their legitimate status in the body politic will hamper the working of any new constitution.
- (3) Numerically, Muslims (70 million) and Scheduled Castes (60 million) in British India are about equal. Fifty seats are to be allotted to the former as against 20 to the latter. Muslims are thus again to receive a disproportionately heavy weightage as between two minorities. There is no justice or equity in such discrimination between two important minorities, particularly, as the professed object of the scheme is safeguarding interests of minorities.
- (4) Large sections of thinking elements of caste Hindus particularly in areas like Bengal, Maharashtra and Madras have held aloof from Congress. Many have rallied round Hindu Sabha—organisationally and ideologically. All such elements have, from the outset, unreservedly and actively supported the war effort, in particular recruitment in the Army. I personally share the faith of this class and made a public declaration of it soon after the outbreak of war. Rajputs, Mahrattas, Madrasis, Jats, Dogras and other Hindu martial classes come from these elements. Muslims and their political organisation, Muslim

League, have not opposed the war effort positively and actively, but their support of the war effort has been but negative and their attitude but one of sullen neutrality. The public enthusiasm displayed by them in the cause of the war effort cannot stand comparison with the wholehearted and unreserved support of these caste Hindus. The over-weightage to such a community at the cost of those who have been cent per cent champions of the war effort will mean penalizing those who helped and favouring those who sulked. Thus the repercussions on these powerful and thinking elements of caste Hindus of the proposed weightage to Muslims cannot but be detrimental, particularly from the Commonwealth point of view.

- (5) No constitution-maker for India can get away from the fundamental, historical and ethnic fact that the Indian people both Hindu and Muslim are composed of elements with racial, linguistic and cultural differences. While it is recognized that no constitution which ignores these fundamental differences can work successfully, over-weightage to a minority, however claimant and intransigent, cannot also make for a stable and orderly constitution. There are minorities in other countries as well and there are certain recognized canons and principles on which the rights of minorities have been safeguarded in such countries. History is not thus without all precedent in this matter. Let us face facts and not shrink from upholding the basic principle recognized throughout that in the constitution of a country with heterogeneous elements of population the representation of each element should be proportionate to its numerical strength. It is more or less on the lines that the problem of minorities has been solved and safeguards for their interests included in the constitution of India, so far. His Majesty's Government will certainly be on strong ground if they settle the question of minorities in India on this basis even now.

21. Gandhi to Sapru, 14 May 1945

CWMG, Vol. 94, p. 202.

Mahabaleshwar
14 May 1945

I was going to write to you in Hindustani but for this letter at least I restrain myself. For the future I shall do as you will bid.

I had thought that Dr Jayakar and Kumar Saheb had come to me on your behalf and at your instance. Rajaji told me otherwise. Hence this note, though belated.

I considered the whole of your report as sketched to me to be an able document. But I did not interest myself in the whole of it. My interest was naturally confined to the communal question and it was wholly satisfactory. I hope you do not want me to express any opinion on the rest.

You have, and that at your age, laboured at the report and laboured with your colleagues as few men would have done. Rajaji has told me much about this part of your valuable work. And in Santanam you have an able and painstaking secretary.

Hope you are keeping well and that your ailing son has recovered completely.



APPENDIX I

Genesis of the Conciliation Committee Chapter I of the Report of the Conciliation Committee

Compiled by Tej Bahadur Sapru, M.R. Jayakar, N. Gopalaswami Ayyangar, Jagadish Prasad, Bombay, 1945.

1. The Standing Committee of the Non-Party Conference which met on the 18th and 19th of November 1944 at New Delhi adopted a resolution deciding to appoint a committee with terms of reference which are contained therein. This resolution was as follows:

The Standing Committee of the Non-Party Conference having considered the present situation in view of the breakdown of the Gandhi-Jinnah talks on the communal issue, hereby resolves to appoint a committee which will examine the whole communal and minorities question from a constitutional and political point of view, put itself in touch with different parties and their leaders including the minorities interested in the question and present a solution within two months to the Standing Committee of the Non-Party Conference. The Standing Committee will take all reasonable steps to get that solution accepted by all parties concerned. The Standing Committee authorizes Sir Tej Bahadur Sapru to appoint members of the committee and announce their names in due course.

2. To explain the genesis of the committee Sir Tej Bahadur Sapru made the following statement at a press conference at Delhi on 20 November 1944. When Gandhiji came out of the Aga Khan Palace, he (Sir Tej) wrote a letter to Gandhiji expressing his satisfaction at his release and welcoming him. Both wanted to meet each other but a meeting could not take place until the second week of August. When they met, they surveyed the situation each expressing his view freely and frankly, but nothing came out of it worth placing before the country. Thereafter, the famous talks between Gandhiji and Mr Jinnah took place. He (Sir Tej) was extremely sorry that the conversations broke down and led to no settlement. He had deliberately expressed no view in favour of the views of either Gandhiji or Mr Jinnah, nor had he thought it necessary to add to the chaos that already existed. The partisanship shown by some of those who carried on the controversy made him (Sir Tej) write to Gandhiji about the middle of October, stating that things were taking a dangerous turn. He (Sir Tej) regretted very much the use of the words 'civil war' in some of the speeches. He said 'I am one of those who do not believe in a civil war or in the possibility of a civil war in this community. Taking a realistic view of the situation, civil war to my mind does not mean anything more than a few communal riots. I should regret it very much if any one wittingly or unwittingly excited feelings of one party or the other to that pitch. It should not be difficult for any Government, foreign or national, to put down communal riots but the aftermath of it is bitterness and still greater bitterness. I wrote to Mahatma Gandhi that I very much regretted that these words, which to my mind were very dangerous, were being bandied about in the country freely and that the consequences of it might be very prejudicial to a settlement in the future. I wondered whether he (Gandhiji) was thinking of some further attempt being made to solve the question.

I pointed out to him that several people from different parts of the country had written to me that the time had come when an all-parties conference should be invited. I know that Gandhiji's mind was also running in that direction. I told him frankly that in the circumstances I did not think that an all-parties conference would lead to any satisfactory result. Before I could get any reply from Gandhiji I got an urgent call from Hyderabad. I received a message from Gandhiji that I

might meet him on my way back. I met him on 9 November. I was very pleased to see him because his condition of health seemed to me to be very good and I congratulated him on that. Then we talked about the situation as it existed in the country. His suggestion was that I should take a lead in this matter and invite an all-parties' conference and that if I had any objection to doing it on my own, I should associate with myself some people, but he did not mention any names. We discussed it at length and I was unable to agree with him.

Another friend suggested the idea of Gandhiji himself calling a national convention. I tentatively adopted that suggestion and still further enlarged the scope of that convention just to see what Gandhiji's reaction was. Gandhiji was not agreeable to it. But by the time we finished the conversation there was one impression produced in my mind. In fact that had been my impression from the beginning and it was strengthened at the end of the conversation and I say so deliberately. Having exchanged our views I came to the conclusion that if there was one man among 400 million people of this country who was genuinely and sincerely anxious for a genuine settlement, it was Gandhiji. I shall maintain it in spite of any statement to the contrary. I told Gandhiji that so far as his desire for a settlement was concerned by mutual agreement or in any other legitimate manner, I would stand shoulder to shoulder with him. As I was leaving him he wanted me to see him again after giving further thought and suggest any way out. During the two or three hours I was free, I tentatively arrived at a conclusion. I went back to him and said that some machinery must be devised for attacking the problem. I said a committee might be set up but the real question was as to who was to set up this committee. I could not do so on my own authority. I then suggested to him that I should speak to my friends of the Standing Committee of the Non-Party Conference to set up a committee and to prescribe for it certain duties. We discussed it at length and I was agreeably surprised that the suggestion which I made to him found ready acceptance on his part. I said to him that the object of this committee would not be to bring about a settlement in the sense that the document would be executed, signed, sealed and delivered. The whole object of the committee was to understand the viewpoint of each party and to act as a sort of conciliation board by establishing contacts with leaders of all parties and then to recommend some solution which they thought fit on their own responsibility. It would be open to these parties, the Hindus, Muslims, Depressed Classes, Sikhs, Christians, Parsees to accept it wholly or partially, or reject it. There is no question of failure of success. When that had been done it would be for leaders of different parties to consider whether at that stage they should not call a bigger conference. You can call it an all parties conference or a convention, but some material must be collected. Thereupon, Gandhiji said that he would agree with this proposal provided members of this committee, which was to be appointed by the Standing Committee, did not belong to the Congress, the Muslim League, the Hindu Mahasabha or any one of the recognized parties, big or small and the members were persons who had not definitely committed themselves to any particular view since the breakdown of the Bombay talks. I readily agreed.'

3. The appointment of the members of the committee was left to the Chairman. The original idea was that the committee should consist of not more than fifteen to twenty persons, but in view of recommendations from different quarters that the committee should be as broad-based as possible, it was found impossible to stick to the original idea with the result that the Chairman appointed a committee which now consists of thirty gentlemen. In the selection of these members the Chairman tried to include as far as possible only persons who could bring to bear upon the controversial issues involved an open mind and who were not subject to the mandate of any of the principal political organisations. Their names are given below:

1. The Rt Hon. Sir Tej Bahadur Sapru, (Chairman) MA, LL.D, DCL, KCSI, PC, Former Member of the Governor-General's Executive Council, Member of the Round Table Conference and the Joint Parliamentary Committee, Advocate, High Court, Allahabad.
2. The Rt Hon. M.R. Jayakar, MA, LL.D, DCL, PC, Member of the Round Table Conference and the Joint Parliamentary Committee, Former Judge, Federal Court, and former Member, Judicial Committee of the Privy Council.
3. Mr P.R. Das, Barrister-at-Law, Patna, Former Judge, Patna High Court.
4. Sir Syed Wazir Hasan, Former Chief Judge, Oudh Chief Court.
5. Dr P.K. Sen, Bar-at-Law, Former Judge, Patna High Court, At present Member, Board of Judicial Advisers, Kashmir.
6. The Most Rev. the Metropolitan of India.
7. Sir S. Radhakrishnan, MA, DLitt. (Hon.) LL.D, FBA, Vice-Chancellor, Hindu University, Benares, Professor Eastern Religions, Oxford University and Member of the International Committee on Intellectual Co-operation.
8. Sir C. Ramalinga Reddy, MA, (Cantab.), Vice-Chancellor, Andhra University, Former Member, Legislative Council of Madras.
9. The Hon'ble Sir N. Gopalaswami Ayyangar, CSI, CIE, Member, Council of State. Former Member of the Board of Revenue, Madras and former Prime Minister, Kashmir.
10. Sir Homi Mody, KBE, Former Member Viceroy's Executive Council, and President, Millowners' Association, Bombay, Director, Tatas Ltd.
11. Raja Sir Maharaj Singh, CIE, Former Agent-General in South Africa and Home Member, UP Government. Former Prime Minister, Kashmir.
12. Mr Muhammad Yunus, Bar-at-Law, Former Prime Minister, Bihar.
13. Mr N.R. Sarkar, Former Member Viceroy's Executive Council, Former Finance Minister, Bengal Government. Former President, Federation of Indian Chamber of Commerce and Industry.
14. Mr Kasturi Srinivasan, Managing Editor, *Hindu*, Madras, Formerly President, All-India Newspaper Editors' Conference.
15. Mr Tushar Kanti Ghosh, Editor, *Amrita Bazar Patrika*.
16. Dr John Mathhai, Director, Tatas Limited, Former President, Tariff Board, Former Director-General of Commercial Intelligence and Statistics, Government of India.
17. Mr Frank R. Anthony, Bar-at-Law, MA(Cantab.), MLA (Central), President-in-Chief, Anglo-Indian and Domiciled European Association.
18. Kunwar Sir Jagdish Prasad, KCSI, CIE, OBE, Former Chief Secretary and Home Member, UP Government. Former Member, Viceroy's Executive Council.
19. Dr Sachchidananda Sinha, Bar-at-Law, Former Vice-Chancellor, Patna University, Former Finance Member, Bihar Government.
20. Sardar Sant Singh, MLA (Central), Advocate, Lahore High Court.
21. Mr B.L. Rallia Ram, BSc, BT, General Secretary, All-India Council of Indian Christians.
22. Khan Bahadur Nabi Baksh Muhammad Husain, CIE, Former Prime Minister, Bahawalpur.
23. Mr N.M. Joshi, MLA (Central), CIE, Secretary, All India Trade Union Congress.
24. Sardar Harnam Singh, Advocate, Professor of Law, Lahore University.
25. Mr Fazal Ibrahim Rahimtoola, CIE, Former Chairman, Tariff Board, Former Member, Central Legislative Assembly, Bombay.
26. Mr Syed Aga Haider, BA (Cantab.), Bar-at-Law, Former Judge, Lahore High Court.
27. Mr M. Ruthnaswami, MA, Bar-at-Law, CIE, Vice-Chancellor, Annamalai University, Former Principal of Madras Law College.

28. Mr Hemchandra Naskar, MLA, Honorary Magistrate Sealdah, Alderman and Ex-Mayor of Calcutta.
29. Mr J. Sivashunmugam Pillai, MA, MLA, Ex-Mayor of Madras.
30. Bakshi Sir Tek Chand, former Judge, Lahore High Court.

4. After the announcement of the resolution of the Standing Committee of the Non-Party Conference referred to above, the Chairman, in consultation with the members of the Committee, addressed personal letters to some leaders requesting them to agree to personal interviews so as to clear up certain points. Among them, he addressed a letter to Mr M.A. Jinnah, the President of the All-India Muslim League. The correspondence which took place between him and Mr Jinnah is printed as Appendix No. 10. It is, however, noted with regret that neither the Chairman nor any other member of the Committee could have an opportunity to discuss personally certain aspects of the problem with Mr Jinnah and therefore the Committee, in its desire to obtain the Muslim League view has been compelled to rely on the resolutions of the Muslim League including the Lahore Resolution (1940), the speeches of Mr Jinnah and other distinguished leaders of the Muslim League, and the correspondence between Mr Jinnah and Mahatma Gandhi published in September 1944 after the breakdown of the conversations between them and lastly a considerable mass of printed literature on the subject.

5. The Chairman also addressed a letter and sent telegrams to the Hon'ble Dr B.R. Ambedkar, requesting him to suggest the names of one or two representatives of the Scheduled Classes and to favour him with such material as in his opinion would be useful to the committee in arriving at its conclusions with respect to the Scheduled Castes. The relevant correspondence is printed as Appendix No. 11.

6. The Committee held its first sitting at Delhi from the 29th to the 31st of December 1944. Out of the twenty-six members of the committee as it stood on that date, eighteen including two Muslim members, namely Sir Syed Wazir Hasan, late Chief Judge of the Oudh Chief Court and at one time, President of the All-India Muslim League and Khan Bahadur Nabi Baksh Mohammed Hussain, EIC late Prime Minister of the Bahawalpur State in the Punjab, attended this session of the committee. There was a general discussion as to the nature of the problem and the procedure to be adopted. A questionnaire was settled and it is printed as Appendix No. (1). It was decided to circulate this questionnaire among important public bodies, and individuals. The questionnaire was also issued to the Press and supplied to a very large number of persons who had asked for it. With the concurrence of the Committee, the Chairman undertook to see the leaders of different parties and communities. Accordingly, the Chairman first visited the Punjab and stayed at Lahore from the 19th to 21st of January 1945. During his first visit to the Punjab the Chairman was associated with Sardar Harnam Singh, a member of the committee who rendered great assistance to him in establishing contacts with the leaders of the different communities. Kunwar Sir Jagdish Prasad, the Secretary of the committee and Mr K. Santhanam, the Joint Secretary joined him at Lahore. Accordingly the Chairman, Sir Jagdish Prasad and Mr Santhanam had interviews with a number of persons including the members of the Communist Party and the representatives of the Scheduled Castes and Mr Allama Mishriqui, the leader of the Khaksars. Views were exchanged freely.

The Chairman again was at Lahore from the 19th to the 24th of February 1945 and two other members of the committee, the Rt Hon. M.R. Jayakar and Kunwar Sir Jagdish Prasad joined him and in association with the local member of the committee, Sardar Harnam Singh, Dr Jayakar and Sir Jagdish Prasad had further talks with the leaders of the different communities and parties. The Chairman took part in these talks on the fourth day.

7. Later the Chairman visited Madras and with the help of Mr Kasturi Srinivasan, Editor of the *Hindu* and a member of the committee, and the Kumara Raja of Chettinad, interviewed a number of persons belonging to different groups and parties, including important Muslim and Scheduled-caste leaders.

8. From Madras the Chairman proceeded to Calcutta particularly with a view to meeting Dr Shyama Prasad Mukherjee, President of the All-India Hindu Mahasabha. There he was also joined by Kunwar Sir Jagdish Prasad and Dr P.K. Sen of Patna. Unfortunately, however, Dr Shyama Prasad Mukherjee being at that time seriously ill could not be interviewed. Mr N.R. Sarkar, a member of the committee, however, arranged interviews between the Chairman, Kunwar Sir Jagdish Prasad and some Hindu leaders, among them Mr N.C. Chatterji, a leading member of the All-India Hindu Mahasabha. Interviews also took place with representatives of the Communist Party, of the Buddhist Community and thirteen representatives of the Scheduled Castes. The Metropolitan of India, also a member of the committee, arranged a representative gathering at the Bishop's Lodge.

The Chairman deeply regrets that he was not able to visit Bombay and some other parts of India.

9. The committee received 168 memoranda, the more important of which are included in the pamphlets issued by the committee. These may be read as a part of this Report. In pamphlet No. 7 shall be found the answers of Mahatma Gandhi to whom a special set of questions were addressed at his request confined to the points arising out of his talks with Mr Jinnah.¹

At its first meeting in December 1944, the Committee appointed four Sub-Committees;

(1) General Sub-Committee consisting of the following members:

1. Sir Tej Bahadur Sapru (Convener)
2. Dr M.R. Jayakar
3. Sir Homi Mody
4. Dr P.K. Sen
5. Sir N. Gopalaswami Ayyangar
6. Khan Bahadur Nabi Baksh Muhammad Husain
7. Sir Syed Wazir Hasan
8. Mr P.R. Das

(2) Scheduled Caste Sub-Committee consisting of:

1. Sir S. Radhakrishnan (Convener)
2. Sardar Sant Singh
3. Mr N.M. Joshi
4. Mr Tushar Kanti Ghosh
5. Mr J. Shivashanmugam Pillai
6. Mr Hem Chandra Naskar
7. Sir C. Ramalinga Reddy

(3) Minorities Sub-Committee consisting of:

1. Raja Sir Maharaj Singh (Convener)
2. The Metropolitan of India
3. Sardar Harnam Singh
4. Mr Fazal Ibrahim Rahimtoola
5. Mr B.L. Rallia Ram
6. Mr Frank R. Anthony
7. Mr Tushar Kanti Ghosh

(4) Economic Sub-Committee consisting of:

1. Dr John Mattai (Convener)

2. Sir Homi Mody
3. Mr N.R. Sarkar

The General Sub-Committee met on 25th, 26th and 27th February. All the members were present and the Committee presented a unanimous report. The Scheduled Castes Sub-committee held two sittings on 25th and 26th February 1945 and presented a report dealing with the special problem problems of the Scheduled Castes and Aboriginal Tribes. The Minorities Sub-committee which in the temporary absence of Raja Sir Maharaj Singh in England was presided over by the Most Rev. the Metropolitan of India met on the 27th and 28th of February but it could not complete its work. A report was submitted on behalf of the Committee approved by Messrs Rallia Ram, Frank Anthony and Sardar Harnam Singh. The Economic Sub-committee was not able to meet as a body and submit a report. Sir Homi Mody and Dr Matthai however, presented a memorandum on the economic consequences of Pakistan which has been printed as pamphlet No. 9. Later Mr N.R. Sarkar, the third member of the Economic Sub-Committee submitted a note which has been printed as Appendix No. 3. The General Committee met on the 29th March and its sittings were continued from day to day till the 6th April when its work was finished. The committee at one time thought that the conclusions it had reached should not be published before its final report but it changed its view for two reasons. As Lord Wavell was then in London discussing the Indian political situation with the British Government, the Committee decided that its proposals for an Interim solution of the political deadlock should be cabled to him immediately which was accordingly done. When the committee's sittings came to a close, it was felt that there was a distinct risk of incorrect and garbled versions of the committee's decisions appearing in the Press. It was, therefore, decided to publish them immediately in the form of recommendations with an appeal to the public to suspend judgment till the appearance of the final report. These recommendations were accordingly issued to the press and later published in the form of pamphlet No. 10. They are printed as Appendix No. 2.

¹ Pamphlet 7 is available in the National Library, Calcutta.

APPENDIX II

The Conciliation Committee Questionnaire Adopted at the Meeting of the Committee at Delhi on 29, 30 and 31 December 1944.

Constitutional Proposals of the Sapru Committee: Report compiled by Tej Bahadur Sapru, M.R. Jayakar, N. Gopalswami Ayyangar, Jagdish Prasad, Bombay, 1945.

1. What are the fundamental rights which should be incorporated in any future constitution of India? What machinery would you suggest for the enforcement of such of those rights as are not justiciable (enforceable by court of law)?

2. (a) What steps are, in your opinion, necessary to secure an adequate share and equal opportunities in legislatures, executive governments and the services for Hindus, Muslims, Scheduled Castes, Indian Christians, Sikhs, Anglo Indians, Parsis and other important sections of the population?

(b) Would you recommend in the case of minorities the establishment of (i) minorities' standing committees of legislature, or (ii) independent minorities' commissions to deal with those rights which are not enforceable by a court of law? If so, indicate their composition, powers and procedure, and their relations to the legislatures and executive governments.

3. Have you any suggestions to make for the adequate and early advancements of the Scheduled Castes, aboriginal tribes and those who are classified as backward classes in the Government of India Act, 1935, with a view to enabling them to enjoy equal opportunities in the social, educational and economic spheres of national life?

Part II

1. (a) What are your views regarding the claim of the Muslim League, as expounded by Mr Jinnah in his letter to Mahatma Gandhi dated 25 September 1944, for the establishment of an independent Pakistan state 'composed of two zones, north-west and north-east, comprising six provinces, namely, Sind, Baluchistan, the North-West Frontier Province, the Punjab, Bengal and Assam, subject to territorial adjustments that may be agreed upon, as indicated in the Lahore Resolution?'

(b) If you are agreeable to the establishment of such an independent state (i) on what principles should its territorial adjustments and boundaries be determined and (ii) what machinery would you suggest for such determination?

(c) Do you consider that a plebiscite should be taken to decide whether an independent state of Pakistan should be established, and if so (i) should it be taken in the provinces mentioned above as they exist at present or after territorial adjustments? (ii) What should be the electorate, method and machinery of such a plebiscite?

2. If you favour the establishment of a single union for all-India, (a) do you consider it necessary to make arrangement and devise machinery for the administration of defence, foreign affairs and like matters of common interest, and if so, (b) indicate the nature of the requisite arrangements and machinery.

3. In case you do not agree to the Muslim League claim for Pakistan, what alternative scheme would you suggest?

Part III

1. What are your views on the question of the inclusion of Indian States in an all-India Union?

Part IV

1. If you favour the establishment of a single union for all-India (a) on what lines should the functions of Government be divided between the centre and the units? (b) should the residuary powers vest in the centre or in the units?

2. (a) Should a province of British India or an Indian State be given, as contemplated in the Cripps' offer, the liberty of not acceding to the new constitution of all all-India Union?

(b) Should the exercise of this liberty be subject to the result of a plebiscite and in that case, what should be the electorate, method and machinery for the plebiscite?

(c) If your answer to (a) is in the affirmative at what stage and under what conditions should this liberty be allowed to be exercised?

3. After an all-India union is established, should the units of the union be given the right of secession from it and, if so, on what conditions?

4. Would you favour the realignment of the boundaries of the units in order to ensure, as far as possible, self-expression and cultural autonomy to different communities?

Part V

1. (a) What should be the nature and type of the provincial and central executives? Should it be parliamentary or non-parliamentary, removable or irremovable?

(b) Do you think it necessary to secure representation on different communities in the provincial and the central executives and, if so, how would you achieve this end?

2. What provisions would you suggest in relation to the composition of the central and provincial legislatures which would provide adequate representation for different communities and interests? Indicate your views regarding (a) franchise, (b) electorates, (c) constituencies, (d) method of election (direct or indirect), and (e) allocation of seats.

3. What provision would you suggest for making amendments in the future constitution?

Part VI

1. What constituent machinery (with details of composition, power and procedure) would you suggest for (a) framing and enacting the new constitution; and for (b) the transfer of power to the authorities established under the new constitution.

Part VII

1. Until such time as the new constitution comes into force what changes would you suggest in the character, composition and working of Executive Council of the Governor-General, either by suitable legislation or by the adoption, wherever necessary, of suitable conventions? (In this connection, attention is drawn to clause (e) of the Cripps proposals reproduced below.)

Part VIII

1. In the event of failure to agree on the part of different communities would you suggest that His Majesty's Government should intervene and enact a constitution for India, or what other course would you suggest?

The following is Clause of the Cripps Proposals

‘(e) During the critical period which now faces India and until the new constitution can be framed, His Majesty's Government must inevitably bear the responsibility for and retain the control and direction of the defence of India as a part of their world-war effort but the task of organising to the full the military, moral and material resources of India must be the responsibility of Government of India with the co-operation of the peoples of India. His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India.’

APPENDIX III

The Economic and Financial Aspects of Pakistan

A Memorandum on the Economic and Financial Aspects of Pakistan by Homi Mody and John Mathai submitted to the Conciliation Committee (Sapru Committee) and published in June 1945 as the Conciliation Committee Information Series No. 9.

We propose in this memorandum to examine some of the more important economic and financial problems which will arise if India is divided into separate States as suggested by the advocates of Pakistan. We should make it clear that our purpose is not to judge the issue of separation but only to indicate what the economic consequences of separation are likely to be if it is decided upon for political reasons. The data available for the purpose are of a somewhat meagre kind. As will be seen later in this memorandum, we have had at several stages of the examination to fill the gaps in

the evidence available by assumptions and estimates for which no final validity can be claimed. Nevertheless, we venture to think that the general conclusions suggested by our examination present on the whole a fair appraisal of the economic and financial implications of the problem of Pakistan. Our views, which are set out in detail in the paragraphs that follow, may be summed up in two propositions:

1. Judged solely by the test of ability (a) to maintain existing standards of living and (b) to meet budgetary requirements on a pre-war basis, but excluding provision for defence, separation would appear to be workable on economic grounds.

2. If, however, provision is to be made (a) for future economic development on a scale sufficient to raise the general standard of living to a reasonable level and (b) for measures of defence which may be considered adequate under modern conditions, any scheme of political separation which may be contemplated should, as a necessary pre-requisite, provide means of effective and continuous co-operation between the separated states in matters affecting the safety of the country and its economic stability and development. If such co-operation did not exist, the position of both Pakistan and Hindustan might be seriously jeopardized.

Demarcation of Pakistan

There are three methods which have been suggested for demarcating the boundaries of Pakistan. One is that all existing provinces with Muslim majorities should be segregated to constitute Pakistan. On this basis, it will consist of two zones, one to the East and the other to the West of India. The Eastern zone would consist of Bengal and Assam, and Western zone would consist of Sind Baluchistan, North-West Frontier and the Punjab. Whether these two zones are to constitute two independent sovereign states or two units of a single State of Pakistan is a matter which as far as we are aware has not yet been clarified. The second suggestion is that instead of segregating entire provinces, only contiguous districts where the majority of the population is Muslim, should be separated from India for forming the new State. A number of districts with a predominantly non-Muslim population which would be included in the two zones of Pakistan if it was formed province-wise would, according to this method, remain attached to the rest of India. (The following districts with non-Muslim majorities would be excluded from Pakistan.)

Assam—All districts except Sylhet.

Bengal—Burdwan, Birbhum, Bankura, Midnapur, Hooghly, 24-Parganas, Howrah, Calcutta, Khulna, Darjeeling and Jalpaiguri.

Punjab—Hissar, Rohtak, Gurgaon, Karnal, Ambala, Simla, Jullundur, Ludhiana, Ferozepur, Kangra, Hoshiarpur and Amritsar. Naturally, the territory and population of Pakistan constituted on a district basis would be much smaller than if it was formed province-wise.

3. Demarcation of Pakistan According to Economic Regions

A third method of determining the area of Pakistan is that which Professor Coupland suggests in *The Constitutional Problem in India*. He recommends that the political division of India should coincide with the boundaries of natural regions so that for economic development each political division would be a homogeneous unit. The economic regions which he has in view cover the river basins of the Indus and the Ganges, the Deltaic areas and the Deccan Plateau, including the coastal territory. The areas to be included in the corresponding political divisions are shown below:

Indus Valley

North-West Frontier Province

British Baluchistan

Punjab

Sind

Ajmer-Merwara
 Ganges Valley
 Bihar
 Orissa
 United Provinces
 Delta
 Assam
 Bengal
 Deccan
 Bombay
 Central Provinces and Berar
 Coorg
 Madras

4. Drawbacks of the Principle of Economic Regionalism

It will be seen that the political divisions which under this scheme correspond to the Indus Valley and the Delta regions are the areas which, barring Ajmer-Merwara in the Western zone, will be covered by Pakistan if it is formed province-wise. It would, however be a mistake to infer from this that the principle of economic regionalism supports the demarcation of Pakistan on a provincial basis. In the first place, whether economic regionalism alone should be considered a determining factor for the formation of political units is a doubtful proposition. Especially in India, it will cut across a number of sociological factors like language, history, culture, etc., which are considered essential for maintaining the solidarity of a political unit. Secondly, the separation of the Delta area from the river basins, which Professor Coupland suggests is not in keeping with sound principles of economic regionalism. Unitary control over a river system, designed to promote a planned economic development, must cover the basin as well as the delta. Thirdly, the division of India into four equally balanced political units, apart from the fact that it is essentially unscientific, is so wholly artificial as to appear to be an after-thought rather than a genuine basis of political demarcation. We do not think that this method of division deserves serious consideration.

5. Inquiry Confined to Pakistan Formed Province-Wise and District-Wise

In examining the economic position of Pakistan we, therefore, proceed on the assumption that the two zones which it comprises, regarded as independent States or as units of a single State, will be formed either on the basis of existing provincial boundaries or on the basis of contiguous districts. In so far as the area included in Pakistan on the principle of regionalism coincides with the area included on a provincial basis, the economic position of Pakistan as implied in Professor Coupland's suggestion will also be clear from the discussion that follows.

6. Limitations of Available Statistical Data

It is necessary to state that for want of data we have to confine ourselves to the British Indian territory which will be covered by Pakistan under the two alternative methods. In assessing the economic position of the new State or States, which we are postulating, we are seriously handicapped by the absence of statistical information as regards many of the matters under review. It is common knowledge that statistical information bearing on India's economic resources and development is extremely scanty. A good deal of the information that is available relates to India as a whole and is not classified according to provinces while the information shown separately for districts is still more meagre. Under these circumstances, we are compelled to confine this inquiry to certain limited topics and even in regard to these to aim only at broad conclusions based on rough and often arbitrary estimates. The data used in most cases related to the year 1939-40.

7. Topics of Inquiry

We propose to examine the economic position of Pakistan on such data as are available from three points of view—(i) the budgetary position, that is, as regards public revenue and expenditure; (ii) the standard of living, that is, as regards economic conditions generally; and (iii) defence requirements, that is, as regards external security. We shall examine these matters as far as possible on provincial as well as district basis and consider the position in each case accordingly, as the Eastern and Western zones are regarded as independent States or as units of a single State.

8. Area and Population of Pakistan

The area and population of Pakistan formed province-wise and also district-wise distributed according to zones are shown below:

	Area (Million Acres)	
	Province-wise	District-wise
Eastern Zone	85.9	36.2
Western Zone	98.9	77.0
Total	184.8	113.2

	Population (Millions)	
	Province-wise	District-wise
Eastern Zone	70.5	44.1
Western Zone	36.4	24.9
Total	106.9	69.0

Both province-wise and district-wise the Eastern zone will be more densely populated than the Western zone. Population per 100 acres will be 82 and 37 in the Eastern and Western Zones respectively if the division is province-wise. On the alternative basis, it will be 122 and 32. The combined area of the two zones of Pakistan, province-wise and district-wise will constitute 36 and 22 per cent respectively of the area of British India. The proportion of population will be almost the same, viz., 36 and 23 per cent.

9. Local Finance on the basis of Existing Boundaries

An examination of the budgetary position must include the finance of both the provinces or local units comprising the two zones of Pakistan and the new central government which would come into being. So far as local finance is concerned, the separation of Pakistan would apparently not make any substantial difference. In the year 1939–40, as will be seen from the following table, all the provinces except the NW Frontier were able to balance their budgets:

	(Rs Lakhs)	
	Revenue	Expenditure
Assam	2,93	2,92
Bengal	14,32	13,71
NW Frontier	1,83	1,87
Punjab	12,11	11,49
Sind	4,29	4,05

The revenue of Assam, NW Frontier and Sind are inclusive of the subventions which, since the inauguration of provincial autonomy in 1937, have been paid by the Central Government. In 1939–40, the three provinces received as subventions from the centre Rs 30 lacs, 100 lacs and 105 lacs, respectively. Since then, by mutual arrangement Sind has set off its claim for an annual subvention against the settlement of its debit to the Central Government on account of the Sukkur

Barrage. Subventions will, however, continue to be necessary in the case of Assam and NW Frontier. In the latter, on the basis of the 1939–40 figures, they contributed more than 50 per cent of the entire revenue of the province. If these subventions are paid by the Central Government of Pakistan (an adjustment on this account is made in the budget of the Central Government of Pakistan—see para 12) and the financial requirements of the provinces do not exceed the pre-war level, it may be assumed that the provincial budgetary position in the Pakistan areas would not be materially different from that disclosed in the foregoing table. It is assumed that machinery of administration will remain intact.

10. Local Finance of Pakistan if Formed District-wise

The demarcation of Pakistan district-wise will affect Assam, Bengal and the Punjab. There is, however, no means of determining the revenue and expenditure of these provinces if the non-Muslim districts are excluded from them. The extent to which revenue and expenditure are likely to be reduced can only be estimated on a rough pro rata basis according to population. The estimate on the basis of the 1939–40 budgets is given below:

	(Rs Lakhs)	
	Revenue	Expenditure
Assam	88	88
Bengal	9,74	9,32
Punjab	7,21	7,08

As compared with the previous table, the figures show a reduction of 19 lacs and 2 lacs in the surpluses of Bengal and the Punjab respectively.

11. Sources of Provincial Revenue

The Sources of Provincial revenue consist chiefly of land revenue, provincial excise, stamps, share of income-tax, export duty on jute in Bengal and irrigation revenue in the Punjab and Sind. The per capita yield of net revenue from principal sources was Rs 2.7 in the Punjab, Rs 1.8 in Assam and Bengal and Rs 1.7 in the NW Frontier. In Sind the figure was very small in consequence of a big loss on irrigation during the year. It is necessary to bear in mind that the administrative standards which prevail in the Pakistan provinces at present are not uniform and in certain provinces the standard of administration is considered to be particularly low. It will be necessary to improve it in the future. Secondly, in the post-war period, there is bound to be a large demand for social services especially in the sphere of education and health which would make it necessary for the provinces to budget for a larger expenditure than at present. It may, however, be expected that additional sources of revenue like agricultural income-tax, sales-tax, death duties, etc., will go a long way towards meeting the extra expenditure involved.

12. Central Budget of Pakistan

More important than the budgetary position of the local units included in Pakistan is that of its central government. The revenue which will be available to the central government and the expenditure it will have to incur, excluding the expenditure on the defence, which will be considered separately, cannot be assessed with accuracy. The Finance and Revenue Accounts show the revenues collected and expenditure incurred in different provinces on behalf of the Government of India. But in the matter of revenue it will not be correct to assume that the amounts collected belong to the province in which they are collected, although in respect of expenditure the assumption will be approximately correct. Following, however, the method adopted by Professor Coupland with certain modifications and assuming that Pakistan will be constituted without disturbing the existing provincial boundaries, the share of the Eastern and Western zones of Pakistan in the revenue and expenditure of the central government for 1939–40 is shown below:

	Net Revenue	
	Eastern Zone	Western Zone
	(Rs Lakhs)	
Customs	12,36,3	5,82,9
Central Excise	1,21,1	78,0
Corporation tax	73,5	17,1
Other Income tax	2,97,5	1,50,4
Salt	2,07,6	1,19,1
Posts, telegraphs, currency and mint	36,0	21,3
Railways, net loss	-1,40,8	-1,19,1
Miscellaneous	1,6	19,8
Total	18,32,8	8,76,8

	Net Expenditure (Rs Lakhs)	
	Eastern Zone	Western Zone
Civil administration	2,02,1	1,45,8
Debt services	4,41,7	2,16,4
Superannuation allowance	65,5	40,7
Grants in aid to provinces*	30,0	30,4
Other items	47,6	30,4
Total	7,87,9	6,38,3

* This item covers the subventions to provinces referred to in para 9.

According to these figures the central revenue and expenditure of Pakistan, formed province-wise, excluding defence expenditure, would show a surplus of Rs 10,45 lakhs in the Eastern zone and Rs 2,39 lakhs in the Western zone. The surplus of the Western zone will increase to Rs 2,44 lakhs in view of the stoppage of the subvention to Sind included under 'Grants in aid to provinces'. The large surplus of revenue in the Eastern zone is due mainly to customs which yielded Rs 12,4 crores or more than 66 per cent of the entire central revenue of the zone in 1939-40. This large amount of customs revenue is available to the Eastern zone because of Calcutta through which a large volume of foreign trade is carried on at present. It is possible that when Bengal and Assam are separated from the rest of India and constituted into an independent state, Calcutta, which at present serves as a convenient port of import and export for the UP, Bihar and other areas, will lose a portion of its foreign trade and to that extent the revenue from customs may suffer. As against this it is reasonable to assume that Pakistan will levy revenue duties on imports crossing its land frontier from the side of India. This additional source of revenue may be expected more or less to counter-balance the loss from sea customs.

13. Central Budget of Pakistan Formed District-Wise

The revenue position of the central government of Pakistan if formed district-wise, would be weaker. Calcutta which has a pre-dominantly Hindu population would no longer be a part of Pakistan which would naturally suffer heavily in respect of customs revenue. The possibilities of developing Karachi and Chittagong cannot be ignored but it is doubtful whether they can fully compensate for the loss of Calcutta. The method adopted for estimating the revenue and expenditure of the central government of Pakistan formed on a provincial basis cannot be used for forecasting the central budget of Pakistan formed on a district basis. We have, therefore, reduced the revenue and expenditure figures given in the previous table on a prorata basis, assuming that along with other revenues, customs revenue also will be available in proportion to population, irrespective of

the existence or otherwise of a good port. No validity can of course, be claimed for this assumption but no other basis of calculation seems possible. The central revenue and expenditure of the Eastern and Western zones of Pakistan on a district basis would on this assumption be as follows:

	Net Revenue (Rs Lakhs)	
	Eastern Zone	Western Zone
Customs	7,75,0	4,02,2
Central Excise	75,5	53,8
Corporation tax	46,0	12,0
Other Income tax	1,86,5	1,03,7
Salt	1,30,0	82,2
Posts, telegraphs, currency and mint	22,0	14,7
Railways, net loss	-88,5	-77,2
Miscellaneous	1,0	13,6
Total	11,47,5	6,05,0

	Net Expenditure	
	Eastern Zone	Western Zone
	(Rs Lakhs)	
Civil administration	1,26,8	1,00,6
Debt services	2,76,7	1,49,5
Superannuation allowance	41,0	28,0
Grants in aid to provinces	18,8	1,41,4
Other items	30,0	21,0
Total	4,93,3	4,40,5

The revenue surplus of the Eastern zone, on a district basis will be Rs 6.54 lakhs and that of the Western Zone Rs 1.64 lakhs, which will increase to Rs 2.37 lakhs, as the grant in aid to Sind given in 1939-40 will no longer be necessary.

14. Central Budget of Pakistan Combined

Assuming that the Eastern and Western zones of Pakistan instead of functioning as two independent sovereign states have a combined central government, the budgetary position of Pakistan will be somewhat as follows:

	Net Revenue (Rs Lakhs)	
	Province-wise	District-wise
Customs	18,19.2	11,77.2
Central Excise	1,99.1	1,29.3
Corporation tax	90.6	58.0
Other Income taxes	4,47.9	2,90.2
Posts, telegraphs, currency and mint	57.3	36.7
Railways, net loss	-2,52.6	-1,65.7
Miscellaneous	21.4	14.6
Total	27,09.6	17,52.5

	Net Expenditure	
	Province-wise	District-wise
	(Rs Lakhs)	
Civil administration	3,48.9	2,27.4
Debt services	6,58.1	4,26.2
Superannuation allowances	1,06.2	69.0
Grants in aid to provinces	2,35.0	1,60.2
Other items	78.0	51.0
Total	14,26.2	9,33.8

Province-wise, this shows a surplus of Rs 12.83 lakhs which will be reduced to Rs 8.19 lakhs if Pakistan is formed district-wise. As the expenditure under grants in aid to provinces will be reduced by the amount paid to Sind, these surpluses will increase to Rs 13.88 lakhs and Rs 8.91 lakhs respectively.

15. Method of Estimating the Central Revenue and Expenditure of Pakistan

A brief explanation of the method adopted in estimating the central revenue and expenditure of Pakistan might be useful at this stage if only to emphasise the tentative nature of the figures presented above. The proper basis for the allocation of customs, which is the main source of revenue, is the share of each province in the import trade of India. But information on this point is not available. We have, therefore, taken the means of the actual collection of revenue and the share attributable to Pakistan on the basis of consumption of imported goods as indicated by the proportion of urban population. Even on this basis there is reason to believe that the share assigned to the Eastern zone is an over-estimate. The calculation of income tax is based on the shares allocated to provinces in Sir Otto Niemeyer's scheme of distribution. The shares of the Pakistan provinces are as follows: Assam 2 per cent, Bengal 20 per cent, NW Frontier Province 1 per cent, Punjab 8 per cent and Sind 2 per cent. The yield of the corporation tax is worked out on the basis of a mean between the share of actual collection and the share of income tax as has been done by Professor Coupland, Central excise, salt, mint, and post and telegraphs are estimated roughly on the basis of population. Railway revenue has been assigned to Pakistan in proportion to the route mileage of the various railway systems in the two zones. The proportion for the different railways in terms of percentages are as follows: Assam Bengal 100, Bengal Nagpur 7.2, Eastern Bengal 100, East India 14, North Western commercial 90 and strategic 100.

16. Allocation of the Existing Liabilities Between Pakistan and Hindustan

The allocation of the existing liabilities between Pakistan and Hindustan which has been made for the purpose of estimating the debt services to be charged to Pakistan is a difficult problem which deserves separate examination. When liabilities have corresponding productive assets, allocation can be made on the basis of the location of the assets. Liabilities on account of railways which is the principal item of capital expenditure in India can be easily divided on this basis. The amount of capital invested by the Government of India in railways in the Pakistan provinces amounted roughly to Rs 240 crores in 1939-40. As this capital is productive in the sense that it covers the cost of debt services including provision for redemption, the net income which is expected under these heads is calculated after taking into account interest and redemption charges. In respect of liabilities which have no corresponding assets, however, allocation between Pakistan and Hindustan is a difficult matter. The share of Pakistan can be fixed either in proportion to its combined provincial and central revenues as compared with the revenue of India or in proportion to its receipts from customs, salt, taxes on income and central excise. When the separation of Burma gave rise to a similar problem, these two methods were suggested. On the basis of the

second method which is more easy to apply we find that the share of the unproductive debt which Pakistan will have to bear will be 37.1 per cent; 24.9 per cent for the Eastern zone and 12.2 per cent for the other. According to Professor Coupland, the unproductive debt of India would amount to Rs 500 crores after the war. Including provision for repayment after 40 years, the interest on this debt has been estimated at Rs 17.74 crores. Pakistan's share in the interest payments would amount to 6.58 crores; 4.42 crores by the Eastern zone and 2.16 crores by the Western zone, which is shown under debt services in the Revenue and Expenditure table in para 12.

17. Classification of the Area of Pakistan for Agricultural Purposes

When we come to judge the standard of living, we are faced by the difficulty that we have no data regarding the national income of each of the Pakistan provinces separately. We have, therefore, to proceed on the basis of certain rough criteria like food production, industrial production, employment, trade, etc. An analysis of these factors shows that contrary to the common belief the position of Pakistan is better in certain respects than that of Hindustan. In the sphere of agriculture in particular, the Western zone of Pakistan is more advanced than the rest of India and the possibilities of further development appear to be not inconsiderable. The following table shows the classification of the area of Pakistan zones for agricultural purposes in 1939-40:

(Million acres)			
Eastern Zone		Western Zone	
Provincial-wise	District-wise	Provincial-wise	District-wise
85	36.2	98.9	77.0
8.8	1.7	3.1	2.4
14.0	6.6	26.9	20.9
25.3	4.5	25.5	23.0
6.2	2.8	10.8	9.5
31.6	20.6	32.6	21.2

The figures show that a large proportion of the area is classified as uncultivated. How much of this can really be brought under cultivation can be determined only after a comprehensive soil survey has been carried out. Because of the greater possibility of developing irrigation, however, especially in the Western zone of Pakistan, there appears to be some prospect of bringing under cultivation a large part of the land lying uncultivated at present.

18. Agricultural Production in Pakistan Province-wise

The value of agricultural production, excepting tea and coffee, in the whole area of Pakistan (province-wise) in the year 1937-38 was roughly Rs 186 crores on the basis of harvest prices. The value according to groups of crops, distributed between the two zones, was as follows:

	(Rs Lakhs)		
	East Zone	West Zone	Total
Food Crops	100.01	49.04	149.05
Non-Food Crops	23.24	14.06	37.30
Total	123.25	63.10	186.35

If we add to this the value of tea, which is the principal crop of Assam and an important crop of Bengal, the total value of agricultural production would exceed 200 crores. In the matter of food supplies the Western zone of Pakistan is better off than the rest of India. Sind and the Punjab are even now surplus provinces. On the basis of 1937-38 figures the total quantity of food grains produced in Pakistan province-wise was 18 million tons: 11 million in the Eastern zone and 7 million in the Western. The rest of British India produced 29 million tons in the same year. The per capita

production works out to 377 lbs in the entire area of Pakistan: 350 lbs in the East and 431 lbs in the West, while in Hindustan it is 345 lbs. in the year. It would thus appear that, if the production of food grains in Pakistan was made available to the population of the respective zones, the per capita consumption per day in the Western zone would be much more than a pound, which is the ration considered adequate by nutritional experts. In the Eastern zone it would be less but about the same as in the rest of India.

19. Agricultural Production in Pakistan Formed District-Wise

As figures of agricultural production by districts are not readily available, it is not possible to assess with the help of statistics, the position of food supply in Pakistan formed district-wise. It is, however, reasonable to assume that it would not be materially different from that of Pakistan formed province-wise.

20. Consumption of Milk in Pakistan

The general conclusions regarding food supply which have been set out in the foregoing paragraphs are corroborated by figures relating to the consumption of milk which is an important article of nutritive diet. The total production of milk in British India is estimated to be 443 million maunds. Of this quantity, 44.8 million are produced in the Eastern zone of Pakistan and 154.7 million in the Western zone. Assuming that this supply is consumed within the respective areas, the daily per capita consumption of milk comes to about two ounces in the Eastern and 17 ounces in the Western zone. The corresponding figure for Hindustan is 5 ounces. Information regarding milk supply in Pakistan formed district-wise is not available but there is no reason to suppose that the position will be substantially different.

21. Industries in Pakistan

In the matter of industries, Pakistan, to judge from the number of persons employed in factories, does not compare unfavourably with the rest of India. In this respect, however, the advantage is wholly with the Eastern zone where the inclusion of Calcutta and the surrounding area makes all the difference. The jute, engineering, paper and pharmaceutical industries are the principal large scale industries which have been developed in Pakistan at the moment. The number of persons employed in factories in 1942-43, which takes into account the war time development, was 949 thousand in Pakistan and 1,439 thousand in the rest of India. The details are given below:

	(Figures in thousands)		
	Eastern Zone	Western Zone	Total
Textiles	326.6	23.5	350.1
Engineering	113.4	20.8	134.2
Minerals and Metals	29.2	11.1	40.3
Food, drink, etc.	27.3	8.3	35.6
Chemicals, dyes	20.2	4.8	25.0
Paper and Printing	25.9	3.8	29.7
Wood, Stone and glass	15.1	7.7	22.8
Gins and presses	8.9	...	8.9
Hides and skins	7.7	2.1	9.8
Miscellaneous	14.5	1.1	15.6
Government and Seasonal factories	173.8	103.0	276.8
Total	762.6	186.2	948.8

While the percentage of population in the Eastern zone to the total population of British India is 24, the percentage of factory employment is 32. In the Western zone, however, which is by all tokens an agricultural tract, the percentage of factory employment is less than the percentage of population. If Pakistan is constituted district-wise, Calcutta and the surrounding industrial area will be excluded from it, as it is, even on a provincial basis. Pakistan is on balance a net importer of certain essential consumption goods like cotton piece goods, sugar, etc. On the basis of the 1939–40 figures, the net imports of these two commodities from the rest of India amounted to 2.2 million maunds and 5.8 million maunds respectively.

22. Possibilities of Industrial Development

Although Pakistan at present relies for certain consumption goods on the rest of India, there is no reason to suppose that it would not be in a position to produce several of them within its own territories provided political separation would not bar free exchange of raw materials as well as finished commodities between Pakistan and the rest of India. It is true that on the basis of existing information both the zones of Pakistan are deficient in iron coal and manganese and a number of other minerals which are considered essential for large scale industrial development. But it has great possibilities as regards the development of hydroelectric power. The hydro-electric survey of India shows the probable minimum continuous water power available in Pakistan to be 2,877 thousand kilowatts; 1,084 thousand in Eastern zone and 1,793 thousand in the Western zone, while in Hindustan it would be only 1,343 thousand kilowatts. The Mandi hydro-electric works in the Punjab which is capable of generating more than 120,000 kilowatts of electric energy is considered sufficient for the whole of the Punjab. Besides electricity, Pakistan has important coal fields in Bengal and oil deposits in Assam and the Punjab. Pakistan has also important agricultural raw material such as cotton, jute and timber.

23. Large Free Trade Area Necessary for Full Development of Resources

The scope for industrial development in Pakistan, however, lies mainly in the direction of consumption. Food industries using agricultural products, cotton textiles, sugar, paper, food canning and similar industries are those which offer prospects of being developed. It must be remembered that the scope for further development of these industries and consequently of agriculture would depend very largely on the continuance of the whole of India as a free trade area. A large free trade area is essential for the development of the economic resources of both Pakistan and the rest of India. This is important from the point of view of obtaining a sufficient market for the goods produced by each state and also of ensuring a sufficient supply of the raw material which it lacks. Free trade in this sense implies that if customs duties are levied in either state, they should not exceed the level required for revenue purposes and that the protection required for development of industries in each state should be a matter for mutual consultation and planning.

24. Trade Between Pakistan and Hindustan

Besides the maritime trade of Bengal and Sind, all the inter-provincial trade between Pakistan and Hindustan provinces, which is purely internal trade at present, will assume the form of international trade when India is divided. Information regarding the value of inter-provincial rail and river-borne trade is not available but data regarding the volume of trade in certain principal articles used to be published before the outbreak of the war. The balance of trade in Pakistan on inter-provincial account for 1939–40 is shown below:

	(Thousand maunds)	
	Eastern Zone	Western Zone
Coal and Coke	-69,367	-56,314
Raw Cotton	-310	+2,610
Cotton piecegoods	-918	-1,304
Rice	+4,168	+2,537
Wheat	-3,560	+11,299
Raw Jute	-2,614	+4
Iron and Steel	-4,207	-2,336
Oilseeder	-7,795	+2,136
Salt	+3,981	+1,250
Sugar	-1,885	-3,905

These figures to a large extent reflect the economy of the two zones of Pakistan considered separately. Both the zones have an excess of imports in respect of coal and coke, cotton piecegoods, iron and steel and sugar, and an excess of exports in respect of rice and salt. In terms of value the trade of both zones of Pakistan and Hindustan would probably show an unfavourable balance. No information is available regarding trade between Pakistan and Hindustan if they were constituted district-wise.

25. Trade Between Pakistan and Foreign Countries

From the point of view of the standard of living and of general economic development, maritime trade is far more important to the Eastern zone of Pakistan than to the Western zone and to the rest of India. The two important export crops, viz., tea and jute, which are responsible for the greater part of the favourable balance of trade which accrues to India belong to the Eastern zone. In fact, the economy of Assam and Bengal is to a large extent dependent on the fortunes of these crops in so far as they determine the value of purchasing power in the hands of the masses. The intrinsic importance of these crops renders them valuable assets to the Eastern zone of Pakistan. The maritime trade of Pakistan and Hindustan on the basis of figures relating to the year 1939-40 is shown below:

	(Rs Lakhs)		
	Imports	Exports	Balance
Eastern zone	56.12	113.88	+57.76
Western zone	15.55	19.69	+4.14
Total	71.67	133.57	+61.90
Hindustan	93.62	80.00	+13.62

As a result of the separation of Pakistan, the rest of India, as the figures show, would have an excess of imports over exports in its dealings with foreign countries. If Pakistan were constituted district-wise, the Eastern zone would lose the port of Calcutta through which most of the foreign trade of Assam and Bengal is carried on at present and notwithstanding the possibility of developing Chittagong and other alternative ports, the position would become less favourable.

26. Standard of Living in Pakistan

The standard of living in Pakistan, constituted province-wise, does not therefore compare unfavourably with the rest of India as judged by the volume of food production, industrial employment and trade. The economies of the two zones, nevertheless, differ in certain important respects. The Eastern zone is industrial and has a large volume of foreign trade while the Western zone is agricultural and self-sufficient in food supply. Its foreign trade is comparatively small. The standard of living in the Eastern zone as in countries like Egypt, Brazil and Argentina is to a

considerable extent determined by the fortunes of its commercial crops, viz., jute and tea. No separate data regarding the volume of food production are readily available for Pakistan formed on a district basis. But it is obvious that the loss of Calcutta to Pakistan which division district-wise will involve, will deprive it of the favourable position it occupies in respect of industrial employment and trade.

27. Defence Expenditure

Defence, which is the third specific topic we propose to discuss, however, appears to be the crux of the problem. So far, while dealing with the budgetary position and the standard of living, we have left out of account the demands which defence would make on the resources of Pakistan. It is now generally agreed that the cost of defence in future, even if some sort of a collective organization be assumed, will be much greater than it has been hitherto. Creation of an adequate naval and air force and proper mechanization of the army will entail large expenditure. It may be safely estimated that India's expenditure on defence which amounted to approximately Rs 50 crores in 1939-40 would in the post-war period be in the neighbourhood of at least Rs 100 crores. Establishment of new frontiers between Pakistan and Hindustan will make further addition to this expenditure if they are to be defended as frontiers of independent states. Although the brunt of expenditure on the navy would legitimately be the charge of Hindustan because of the extensive coastline which it would have to protect, the share of Pakistan in the total expenditure, whatever the basis of calculation, would not be inconsiderable. With a powerful Soviet Russia on the north-west and a new China on the east it is not reasonable to suppose, as is commonly done, that if Pakistan becomes an independent state it can substantially reduce the expenditure which is incurred at present. On the contrary the probability is that the expenditure will have to be increased. On a pro rata population basis, the share of Pakistan in a defence expenditure of Rs 100 crores would be Rs 24 crores in the Eastern zone and Rs 12 crores in the Western zone on a province-wise basis, and Rs 15 and Rs 8 crores respectively, on the alternative basis. If the additional expenditure on protecting its frontiers with Hindustan is considered, the amount would be still greater. According to our estimates of revenue and expenditure the surplus which would be available to the two zones for expenditure on territories which are at present included within the jurisdiction of the same government. In the heat of political controversy the extent to which unity has been established between the different provinces of India and the degree of intercourse which has developed between them in economic matters is largely overlooked. For purposes of administration India has been treated as a single effective unit for over a hundred years. The whole country is now inter-connected by roads, railways, posts and telegraphs. There is a uniform system of currency and contract, and a net-work of joint stock banks with the Reserve Bank of India at its apex. Movement of men and materials between different parts of the country is unhampered. All these have naturally fostered inter-provincial migration of both labour and capital and given rise, to a large volume of inter-provincial trade. Statistical information bearing on some of these aspects of inter-provincial relations, which is available, is interesting....

31. Composition of the Indian Army

Although it is generally known that every province has contributed its quota to the various all-India services like the ICS, the IMS, posts and telegraphs, railways, etc., information regarding the composition of these services by place of origin is not readily available. But in respect of the army, which numerically is one of the most important services, some data published in February 1944, show that the contribution of each of the provinces to the Indian army in round figures, was as follows:

Assam	10,000
Bengal	100,000
Bihar	40,000
Bombay	100,000
CP & Berar	25,000
Madras	260,000
NW Frontier	70,000
Orissa	3,000
Punjab	600,000
Sind	5,000
UP	200,000
Indian States	250,000
Total	1,663,000

The Punjab contributes 36 per cent of the total army of India and a large proportion of the income of the province consists of the salaries and pensions of its soldiers derived from revenues collected on all India basis. Data regarding other public services would equally show the inter-provincial character of the higher services not merely in their composition but also in the allotment of officers for service in the different provinces.

32. Distribution of Joint-Stock Banks

As an illustration of the extent to which the economic interests of the different provinces have been integrated, the distribution of joint-stock banks is perhaps more significant. Distribution of the branches, head offices, etc., of a few important banks, in 1941 is shown below:

	Allahabad Bank	Calcutta Commercial	Central Bank	Imperial Bank	Punjab National
Assam	2	14	—	3	—
Bengal	3	33	9	28	2
Bihar	1	16	9	18	1
Bombay	3	—	16	34	1
CP	4	—	—	17	—
Madras	1	1	11	96	—
NWFP	—	—	1	2	3
Orissa	—	—	—	3	—
Punjab	8	—	42	68	39
Sind	—	—	4	7	3
UP	43	3	27	53	12
Others	2	—	2	47	—
Total British India	67	67	113	336	64

33. Inter-Provincial Migration

Figures of migration from one province to another are not perhaps large but taking into account the predominantly agricultural bias of the population and the hold of custom and tradition on all illiterate people the available statistics are striking enough. Generally, these movements of population are confined to neighbouring provinces but instances of long distance migration are not wanting. The extent of inter-provincial migration according to the 1931 census is represented in the table overleaf:

(Figures in thousands)

Province of birth	Assam	Bengal	Bihar and Orissa	Bombay	CP and Berar	NWFP	Punjab	UP	Total
Assam	-	63	2	-	1	-	-	1	67
Baluchistan	-	-	-	35	1	-	4	-	40
Bengal	5,75	-	1,58	6	7	1	5	31	7,83
Bihar & Orissa	4,72	11,39	-	2	52	-	1	70	17,36
Bombay	7	8	7	-	105	1	9	8	1,45
CP & Berar	82	46	89	55	-	-	2	15	2,89
Madras	57	42	41	60	13	1	2	3	2,19
NWFP	1	2	1	12	1	-	53	4	74
Punjab	6	25	15	91	16	85	-	98	3,36
UP	68	3,48	1,27	1,37	1,19	11	2,32	-	10,42

The largest number of persons to leave their province of birth for employment outside is from Bihar and Orissa, followed by Bengal, Punjab, CP and Berar, Madras and Bombay in the order of importance. There is also a considerable volume of cross migration from Bihar to Bengal, from Bombay to the Punjab, etc., and vice versa. Inter-provincial movements of population are generally determined by two factors, viz., pressure of population and industrial development, the direction of movement being from the heavily populated or backward areas towards centres of industry and trade. Assam tea gardens, for instance, attract people from Bihar and Orissa, Chota Nagpur, parts of Bengal, United Provinces and the northern districts of Madras. The bulk of the jute mill labour comes from the west of Bihar and the east of the United Provinces, together covering a tract lying from 300 to 500 miles away from Calcutta. In Bihar, sample inquiries made at three industrial centres in 1938, showed the following interesting results:

Families born in	Families working at		
	Jamshedpur	Jharia	Dehri-on-Sone
Bihar	280	865	192
Bengal	107	22	2
Orissa	121	14	—
UP	97	35	10
CP & Berar	149	73	9
Punjab	79	8	20
Madras	98	8	—
NWFP	10	—	10
Bombay	7	—	—
Assam	5	—	—
Indian States	47	9	7
Nepal	40	3	4
Total families surveyed	1,040	1,030	254

34. Inter-Provincial Trade

The most important sphere, however, in which the closeness or inter-dependence between the different provinces of India is revealed is inter-provincial trade. Unfortunately, statistical information is available only for the rail and river borne trade and that only for a few specific commodities. For the provinces which are likely to be included in Pakistan, either wholly or partially, the information for 1939-40 is summarized in the following trade:

	Eastern Zone			(Thousand maunds) Western Zone		
	Imports	Exports	Balance	Imports	Exports	Balance
Coal and coke	220,443	151,076	-69,367	57,934	1,620	-56,3
Raw cotton	638	328	-310	6,325	8,935	+ 2,6
Cotton piecegoods	2,786	1,868	-918	2,180	876	-1,3
Rice	11,834	16,002	+4,168	4,484	7,021	+2,5
Wheat	3,767	207	-3,560	8,735	20,034	+11,2
Raw Jute	31,726	29,112	-2,614	2	6	
Iron and Steel	15,638	11,431	-4,207	4,393	2,057	-2,3
Oilseeds	9,059	1,264	-7,795	3,119	5,255	+2,1
Salt	7,222	11,203	+3,981	939	2,189	+1,2
Sugar	3,071	1,186	-1,885	5,091	1,186	-3,9

The volume of rail and river-borne trade which the provinces in the Eastern and Western zones of Pakistan carry on with the rest of India in these selected commodities is very large. If figures for the total volume of inter-provincial trade were available it would be found to be larger still. Both zones have an excess of imports in respect of coal and coke, cotton piece-goods, iron and steel, and sugar and an excess of exports in respect of rice and salt. Although Bengal is the principal producer of jute, excess of raw jute imports from other provinces probably means that it is meant for export to foreign countries.

35. Geographical Unity

How the economics of the various provinces are dovetailed into one another is revealed by the specialization of production to which geographical and administrative interdependence has contributed. Wheat from the Punjab is consumed in the UP, Sind and Bombay; the cotton mills of Bombay and the UP use large quantities of cotton grown in the Punjab and Sind and supply cotton goods to every part of India; coal is exported from Bihar and Bengal to the remaining provinces; the steel supplies of the country are derived largely from Bihar and sugar is dispatched to all parts of India from the UP. The essential factor which has facilitated the development of inter-provincial relations and which cannot be ignored even if the country is divided into separate political entities is the geographical unity of India cemented during the past hundred years by a unified system of administration and communications.

36. India as a Unit for Economic Development

India satisfies the requirements of an optimum unit for economic development in terms of area, population and resources more than any other single country in the world except the United States of America and Soviet Russia. In spite of her population of 389 million, the density of population in India taken as a whole is smaller than in most countries of the world. She has enough space of her own and the variety of climates and soils makes it possible for her to produce most agricultural commodities in general use. The mineral resources of the country, though in certain respects deficient, are on the whole adequate to make her a 'powerful and reasonably self-sufficient industrial nation'. Her population again constitutes a sufficiently large potential market. These advantages will be lost if India is divided into separate States without a common economic policy. Differences of climate, soil and mineral resources which in a large free trade territorial unit contribute to its strength would constitute a serious handicap to the economic life of the smaller units into which it might be broken up. Division of India would weaken both Pakistan and Hindustan but the former would suffer more than the latter. In the first place, the two zones of Pakistan would be separated by more than 700 miles from each other without any land route connecting them. It would not be easy under such circumstances to adopt a coordinated policy of economic development for both. Secondly, lacking coal and iron and ferro-alloys, the position of Pakistan in respect of both zones would be substantially weaker and she would lack the necessary mineral base for large-scale industrial development which is so essential for her future progress.

37. Common Policy for Defence

Close co-operation between Pakistan and the rest of India in important economic matters also implies cooperation in defence. In fact, defence, in modern times, is largely a function of industrial development. By promoting development of industries on a large scale, a policy of co-operation will not merely ensure that the necessary material and mechanical equipment are provided but also help to raise the revenue required to meet a higher level of defence. A common policy of defence will also mean better co-ordination of strategic frontiers.

38. Findings of Economic Inquiry

The broad conclusions to which this discussion leads may now be stated:

- (a) On the pre-war basis of provincial and central expenditure (excluding defence) the two zones of Pakistan appear to be workable from a purely budgetary point of view as separate sovereign states whether they are formed province-wise or district-wise.
- (b) On the pre-war basis of food production, industrial employment and trade, the standard of living in Pakistan formed province-wise compares favourably with the rest of India. The position of Pakistan constituted on a district basis is perhaps equally favourable in respect of food production but in other respects it seems to be less favourable.
- (c) The possibilities of further economic development in Pakistan formed on either basis will depend on the provision of facilities for free movement of trade within India as a whole and for close cooperation in economic matters between Pakistan and the rest of India.
- (d) Similarly, the ability of Pakistan to shoulder the responsibility of defence on an adequate scale, being largely a matter of developing its economic and financial resources to a suitable extent will also depend on the degree to which cooperation between Pakistan and the rest of India can be effectively organised.

39. General Conclusion

From the point of view of defence and economic development, with which defence is closely bound up under modern conditions, it is therefore inevitable, if the division of India into separate States is found necessary for political reasons, that Pakistan and the rest of India should continue to act in close co-operation in these essential matters. What method of co-operation will in the long run be found feasible will necessarily depend on political considerations. But it is clear that unless some effective and continuous form of co-operation in matters relating to defence and economic development is accepted as an indispensable pre-requisite to any scheme of separation and as an organic part of it, the division of India into separate sovereignties would spell stagnation and probable disaster.

SECTION III: C. RAJAGOPALCHARI'S PLEA FOR RECONCILIATION

22. C. Rajagopalachari—Reconciliation: Why and How

A Plea for Immediate Action, Bombay, May 1945.

The Indian situation calls at the present juncture for fresh examination by international statesmen. World peace and security require reconciliation in India on a stable basis. But what is the kind of reconciliation that is required? The Indian people cannot be reconciled to foreign rule. That is certain. It is Britain then that has to be reconciled to a free India. Free India does not mean immediate isolation to a free India. Free India does not mean immediate isolation from the problems that demand world attention and conjoint effort at the present moment. On both sides, British as well as Indian, a spirit of accommodation and a concrete scheme based on that spirit are required to tide over the interim period during which the rest of the war is to be carried on the peace consolidated on a lasting basis. What is wanted at once is a national government that will make for the establishment of free democracy in India as early as possible and will also fully cooperate in the war-measures. It is here that British statesmen have to be advised, and advised pretty firmly, by their friends at home and abroad. It is not enough to recognise and say, as Mr Amery has done in a recent speech, that the question whether the Indian problem is settled rightly or wrongly is as important for the peace of the world as the winning or losing of the war. In all probability the Secretary of State for India means by this that the subject is so extremely important that it should

be left entirely to the Tory party! and that even by them, it should not be taken up in too great a hurry!

The continued incarceration of the responsible leaders of the Indian National Congress makes it exceedingly difficult even in a changed situation to recommend for acceptance in India any proposal that is contrary to or which in a material measure modifies the ideal for which those leaders are suffering imprisonment. The intelligentsia who shape the feelings of the people of India are very sensitive. They may even be described as hyper-sensitive. They would prefer to stick to the stated ideal, however forlorn may be the hope of achieving it, rather than to venture on a compromise in their leaders' absence. That is a subjective fact which cannot be set aside by mere argument. Temperaments may change with the experience of actual responsibility but the position as it stands today has been stated above and cannot be altered or ignored.

The detention of Congress leaders in prison makes it difficult for anyone to put forward any scheme of reconciliation. This policy of detention of Congress leaders is dictated not by any spirit of vengeance but by fear. Barring a few individuals, British statesmen of all shades of opinion seem to be unable to get over the distrust that was generated in 1942, and which has been sedulously kept up by interested or prejudiced bureaucrats. They are unwilling to take any risks with any popular government functioning during war-time. That this is an unfounded fear does not alter the position. Everywhere in the world during the present time of war, Governments are determined to give the benefit of the doubt to themselves. As long as military operations require the exploitation of Indian resources, even if those people who can speak on behalf of the national leaders suggest a settlement which definitely proposes to commit the popular leaders and the Congress to co-operation in war-measures, the risk of friction or breach of faith on some plausible ground looms large in the eyes of British authorities. For this reason, no scheme of settlement in India, however reasonable in itself gets the genuine support of the official hierarchy or of the Governors of the provinces or of the Governor-General of India. Without their firm support the British cabinet suffering from the inherent weakness of long distance command cannot summon up the confidence required for ordering any substantial change. We have thus a complete deadlock which because it cannot be solved by domestic authority, necessarily calls for international consideration, for a solution is necessary in the interests of world-peace.

It is necessary that Indo-British reconciliation should be achieved without waiting for the termination of the war. It would be a dangerous mistake for international statesmen to reconcile themselves to the British Tory policy of considering the Indian issue only after the end of the war. Those who are so earnestly searching for plans and materials to build permanent security against war would be committing a very serious gap. Reconciliation is a British problem and forms part of the domestic post-war plans of England.

It is a dangerous thing to postpone Indian reconciliation. I say this in spite of what British statesmen and even many friends in America out of sheer fatigue may be inclined to think. It should be remembered that distrust has a tendency to harden into national hatred. Hatred in the minds of four hundred millions of people is not a good thing for world peace. Wherever one turns in India—whether it be to a literate city-man or to an illiterate peasant, whether to a university under-graduate or to an official—the question put to anyone who talks of reconciliation is, 'Do you really trust Britain? Do you think that Britain will ever set up a constitution amounting to real independence?' That I am not exaggerating just to build up a case would be testified to by the numerous unbiased witnesses available, thanks to the presence at the moment of many shrewd and active foreign correspondents in this country. The grim implication of this distrust is that men are turning their thoughts to anarchy and revolution based on the use of force. There is no more

faith left in peaceful or constitutional methods. It would be most dangerous to abandon plans of reconciliation for the present and rest on post-war reform.

Recent developments have all made it fairly obvious that the present war will not solve world-conflicts. The weak points of the structure of peace to be now built are well known even to the very builders, although they may be silent about them by tacit agreement. World security is still conceived no doubt in a large mould; but in practice and in the private counsels of each one of the great Western powers, it has been reduced once again to national security and its narrow considerations. One has only to read Sir Arthur Salter's recent broadcast in the light of this remark to find confirmation for what I have just said. The real bone-framework has again reverted to a balance-of-power scheme, although it is now not a European balance but a globe-edition of it. It is natural for some time that the German terror should persist in the minds of men and that all schemes should be drawn up only on an anti-German plan. This is excusable. But I hope it is not treason to suggest that German or Japanese wickedness is not the only disease or the only danger to future peace in the world. The system of forces opposed to Germany cannot furnish a static balance after Germany has ceased to be. When the fear of German upsurge has ceased, the system must split itself again and find a new equilibrium. A re-arrangement of forces must issue in the nature of things. It is profitless to expand this thesis in detail for it would be croaking like a bird of ill-omen when every one desires to be happy for some time at least.

Asia, in which India occupies in every respect an important position, is likely to be the principal scene and the principal contributing factor of the next world war. An unsettled India would be a tremendous risk. Let me tell the bureaucrats that it is a risk far greater than any risk that may have to be faced in the nature of friction between an interim national government and the Allied Eastern Command. Population is ultimately a more potent factor than most other things in the world—than perhaps even mechanized munitions. A tentative programme of exploitation of Burma and India and the Malayan Archipelago in the name of world-reorganisation ought not to tempt those nations of the world who really want world-peace and not world-domination to abandon the course of reasoned statesmanship. There is an urgent world-necessity for a settlement of the Indian issue on a just and genuine basis. All nations are vitally interested in India and in her condition, political as well as economic. The installation of India as an effective and stable centre in Asia, consciously operating for Asiatic peace and progress, is a matter that concerns all civilized nations. It is not a domestic issue concerning Great Britain alone.

II

Let us shut our eyes to problems of world-peace. Let me speak to those who will consider only India and her economic future. It is not right to assume that as the war will soon be over much will not be lost by waiting. We are no doubt nearer to the end than to the beginning of the war. But the campaign against Japan may not end at so early a date as to render the waiting time negligible. Even when Japan's strength is greatly crippled, Japanese resistance may not terminate with it. The people of Japan are up against a crusade which has taken a bitterly racial turn, they realise that it is a struggle for very existence and they are capable of fanatical defence. In any event, there are good reasons to fear that British and other imperialists will not be inclined to treat the war in the East as ended, simply because the war position has ceased. As far as India is concerned the war in the East will continue for a good long time yet. As a result, politics will continue to be in the embrace of military exigencies. The temptation will be strong to maintain in some shape or other all war-controls and to continue the present authoritarian regime in India, and therefore to make no speed with constitutional changes.

Let me recapitulate the present condition of the Government of India, although the sorry tale is too well known to Indian readers and requires no reiteration. The technical phrases of government often serve to throw dust in the eyes of international critics, and it is as well as to state the facts over again. The Indian Government at the centre is responsible to no one in India. The Governor-General acts under the direction of the British Cabinet and has no responsibility, under statute or convention, to the Indian Legislature. The members of the Viceroy's Council are responsible only to the Governor-General who appoints and summons them at his pleasure. There is not the slightest bond between them and Indian public opinion. In Madras, Bombay, Bihar, Bengal, Allahabad, Orissa and Nagpur the provincial constitutions are suspended and all the powers of the legislatures and the ministries under the government of India Act are now exercised in these provinces by the Governors who have for their assistance advisers of their choice. These are mostly tired Britishers who are members of the permanent civil service and have risen to senior rank by efflux of time. Each Governor acts under the private guidance of the Governor-General in all matters of all-India importance, but otherwise he is in his province as powerful as the Czar of Russia was a century ago. This state of things in big and important provinces like those mentioned above affect the provinces where the legislatures and ministers are still functioning. These latter are losing power, so to say, by infection. The authoritarian regimes in neighbouring provinces set the standard for everything. The British Governors have everywhere become the actual rulers enjoying unlimited authority even in provinces where the Government of India Act is not in express terms suspended.

The moral mischief of this is enormous. Slogans and the general creed of independence may be kept up with all the incidents of apparent fanaticism but the undermining of the spirit is inevitable under the circumstances. Habits of daily life developed under authoritarian administrations drag the soul of the common folk down. But apart from this, it is obvious that such administrations cannot tackle and will not be anxious to undertake any programme of economic or social reconstruction which demands the close co-operation of the people.

Make-believes of course there will be but they can serve no purpose. The rewarding and settling of millions who have been recruited for the various war-services will be taken up, and given almost the semblance of reconstruction. Genuine reconstruction will require a high degree of trust and co-operation between Government and people. It would not be possible for the present governments at the Centre or in the provinces to do anything real in that direction. In every other country in the world, the immediate post-war period will be a period of intense national activity in all directions. If India continues in her present unsettled state during the crucial post-war period she must lose most valuable time in more political controversy. Her relative backwardness in industry and agriculture will be further aggravated. All plans however genuinely conceived by those now in authority will be viewed with suspicion and rendered ineffective. Reconciliation between Britain and India and a settlement for the interim governance of India on democratic lines without detriment to the war-effort are therefore urgently called for.

III

Let us revert to our examination of British policy in respect of Indian leaders and the Indian national movement. Our national aspirations have not been and can never be extinguished or reduced by the incarceration of leaders or other repressive measures. What are these aspirations? The demand of the people of India is for the same freedom as other nations enjoy, neither more nor less. As a result of what has been seen and done in this war sovereignty has changed its aspect. All the free nations of the world will be more interdependent. India does not desire to follow any other line, but would be content with such interdependence as other free nations accept as a condition for sovereignty. But she resents being asked to reconcile herself to any position of

inferiority. Let not the formula of interdependence in world-security be misused for justifying or tolerating exploitation and slavery. Indian national leaders have made a demonstrable mistake and are paying for it. But the quality and the numerical strength of the Indian people are such that in spite of all that may happen in the immediate future, India is bound to be free and to lead Asia in the most comprehensive sense. M. Molotov saw this clearly enough and referred to it although parenthetically. What can Imperialism achieve by postponement of the inevitable? Much can be lost but nothing gained for Britain by the prolongation of the agony.

I have been appealing to our people on the basis of this faith in the inevitability of the future of India. I am convinced that under any decent settlement, whatever its shortcomings at the outset, we can achieve our goal. I have striven to turn the Congress from its policy of abstention and to participate in seizing opportunities as and when they come and to use the power of self-government to heal the diseases that subjection to external rule has developed. I have stood out for accepting a settlement as early as possible and for using the power and the opportunities obtained under it to form the habit of a common purpose which will cut across clans, creeds, and communities and establish social and economic conditions that will help us to become a strong and united people free from the delusions generated by long foreign rule. I have faced odium by repeatedly urging this policy which looks like surrender when the air was surcharged with rebellion and resentment against Britain. I have done this because my sense of duty demands such reiteration, convinced as I am that remaining in the wilderness is allowing full rein to reaction and this not for a brief period after which everything could be set right when we come to our own, but which would extend itself up to the point of doing great and irreparable damage.

My appeals for a practical outlook could however have a chance only if a spirit of reconciliation animated the British authorities also. On the contrary such suggestions as I made were interpreted by these authorities as symptomatic of a general break-down of Congress resistance. They therefore continued to do nothing towards reconciliation, waiting for a more complete collapse! And when they found that instead of a collapse of the National Congress there was a hardening of hearts and increased bitterness all round, instead of blaming themselves, they blamed others and adopted the philosophy of drift and the slogan of reconciliation and reconstruction after the war. For propaganda purposes in the meanwhile they found the Muslims and the Princes handy: complications with which any international critic could be confused and any attack on Britain's bona fides could be averted.

When war broke out in 1939 and threatened to spread all over the world the Indian National Congress desired that, to enable India to play her part in it, the people of India should be declared free and entitled to full self-government. The Congress made it clear in repeated resolutions from 1939 onwards that it did not adopt an attitude of pacifism in relation to this war. It declared itself ready and willing for the fullest association with the Allied Powers provided India's claim to independence and equality with the other free peoples of the world were admitted. The Indian National Congress emphasized this aspect of its policy no less than its protest against being coerced into belligerency without recognition of her free status. The issue was not handled by the British Government in the manner that the situation demanded. As a result, mutual distrust developed rapidly until it became so fixed as a chronic disease that even the Declaration of the British Government on the floor of the House of Common on 11 March 1942 as to their intentions about Indian freedom hardly made any impression on the people of India. Still, had more patience been shown by the British Mission in the negotiations that took place in Delhi in April 1942 and had more earnest co-operation been forthcoming from the then Viceroy, the issue might have been solved. As everyone now knows, greater attention was directed to the propaganda that was to follow in determining who was to blame, than to a settlement of the issue itself, Great use was

made in this connection of the irrelevant fact that Gandhiji's pacifism would not permit him to take part in any war. This had nothing to do with the policy of the Indian National Congress or its immediate intentions.

It may always be admitted that faults on one side could never bring disaster if on the other side compensating tact and statesmanship are developed. If in spite of Viceregal non-co-operation, the Indian National Congress had developed these qualities in more than ordinary measure, the situation could have been saved. The British Government were not prepared to go far in taking risks to appease Indian nationalism. They preferred to be content with such co-operation as they could get on their own terms, and banked on the resources they could commandeer by the physical authority and economic control they exercised in India. They decided to fight, along with the Axis, Indian nationalism also. They adopted the methods of non-co-operation as well as repression in this battle against Indian nationalism. They met with repression every symptom of discontent and adopted the method of passive resistance to all proposals for solving the deadlock. This policy still continues.

IV

A friend in Canada recently drew my attention to an article contributed to a Canadian magazine by the British High Commissioner in Canada, the Rt Hon. Malcolm MacDonald. He says in it that the primary purpose of British administration even among the primitive races in Africa has been and will be to train them to stand firmly on their social and political feet! No one can predict, says he, when any particular colony will reach the goal of self-government but according to him so far as the British Government and the British people can determine it, the time for its arrival in India has been fixed. But, he adds, certain practical difficulties exist, 'not in British policy but in India'. We are told that the princes complicate the issue and that the Hindu and Muslim communities have not yet been able to compose their political differences and to agree upon a constitution for a self-governing India. The British High Commissioner in Canada is certain that if the people of India can agree among themselves, their complete national freedom whether as a dominion or as an independent nation outside the Commonwealth, is assured at the end of the war. According to him the British Government have agreed to implement this policy 'in the letter and the spirit' as soon as the war has ended.

These promises have been made and the British people are morally bound to see that their Government fulfils them. But obligation is different from present intention. We are concerned with the latter and I must say, judged from present conduct, that what the British High Commissioner in Canada has written and what so many British propagandists in America are saying is not the whole truth and a half-truth is often worse than a wholesale fabrication.

Does Britain wish to present these two points about the princes and the Muslims as mere argument and excuse for a policy of drift, or does Britain feel unhappy over these two difficulties and wish if possible to overcome them? If the latter is the case, what prevents Britain from setting up a court of arbitration to settle these issues of the princes and the Muslims? A board of arbitrators might be constituted to the satisfaction of the Allied powers or of the United States and Canada where all this propaganda is done. The charge that Britain herself is encouraging these differences and is not inclined to help their removal could be conclusively met by such a step instead of by argument or assertion. Nationalist India is prepared to accept any just and fair award that will end these difficulties at once. Why should she wait for the end of the war in the Far East as well as in the West? Will the establishment of a government of popular representatives at the head of affairs in India be a greater distraction than a presidential election in America? Surely there are great compensating advantages even if we would have to suffer a temporary distraction of that kind.

V

The Muslim League's demand is contained in the following resolution which it adopted at Lahore in 1940: 'It is the considered view of this session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principle, viz., that geographically contiguous units are demarcated into regions which should be so constituted that the areas in which the Muslims are numerically in a majority, as in the North-Western and Eastern zones of India, should be grouped to constitute independent States in which the constitute units shall be autonomous and sovereign.'

This resolution was not followed up by any scheme or detailed plan and up till September 1944 when Mr Jinnah was approached by Gandhiji this bald resolution was the only available official material on the Pakistan proposal. The following terms which go by the name of the 'CR Formula' were given by Gandhiji to Mr Jinnah in September 1944:

Basis for terms of settlement between the Indian National Congress and the All-India Muslim League to which Gandhiji and Mr Jinnah agree and which they will endeavour respectively to get the Congress and the League to approve:

1. Subject to the terms set out below as regards the constitution for Free India, the Muslim League endorses the Indian demand for independence and will co-operate with the Congress in the formation of a provisional interim Government for the transitional period.
2. After the termination of the war, a commission shall be appointed to demarcate contiguous districts in the North-West and East of India, wherein the Muslim population is in absolute majority. In the areas thus demarcated, a plebiscite of all the inhabitants held on the basis of adult suffrage or other practicable franchise shall ultimately decide the issue of separation from Hindustan. If the majority decide in favour of forming a sovereign State separate from Hindustan, such decision shall be given effect to, without prejudice to the right of districts on the border to choose to join either State.¹
3. It will be open to all parties to advocate their points of view before the plebiscite is held.
4. In the event of separation, mutual agreements shall be entered into for safeguarding defence, commerce and communications and for other essential purposes.
5. Any transfer of population shall only be on an absolutely voluntary basis.
6. These terms shall be binding only in case of transfer by Britain of full power and responsibility for the governance of India.

Mr Jinnah's refused to accept these terms and demanded that partition should be agreed to without any plebiscite and that the area to be demarcated into a new state should include the whole of Bengal and the whole of Assam and the whole of Punjab as the administrative boundaries now stand. This is a demand which goes beyond the terms of the League resolution of 1940. If complied with, it would force the eastern half of the Punjab and the western half of Bengal, which have no Muslim majorities, into a Muslim State. As for Assam, all but one of the districts in that Province contain a vastly preponderating majority of Hindus. The Pakistan conceded in the CR Formula—viz., the provinces of Sind and the North-West Frontier and Baluchistan, those districts of the Punjab and Bengal which contain a Muslim majority and Sylhet in Assam—would consist of two contiguous areas in the North-West and East, as described in the Muslim League resolution. In size, population and resources, it would be comparable to most free states in the world and larger than many European states of established importance. The population would be more than 80 millions, occupying over 150,000 sq. miles with splendid river basins and a great sea-port.

Mr Jinnah's refusal of this offer, his demand that partition should be made of India without ascertaining the wishes of the people in the areas concerned, and his demand for the inclusion of

definitely non-Muslim areas, indicate that he has for some reason or other lost confidence in the sustainability of the policy of separation for which he ostensibly stands. The demand for separation made by the Muslim League in 1940 was a bold adventure; but it is ever the case that we show more courage when demanding something which the other party will not give than when what we demanded arrives and claims our acceptance and responsibility. The difficulties of a separate sovereign state become more obvious when it is offered than when it was demanded and refused. To overcome these difficulties additional and impossible claims are made. There is reason to think also that as the League is more representative of Muslim-minority areas than of the areas where the Muslims are a majority, the dominant motive in League circles is a desire to get reservations and weightage arrangements rather than a partition. It is not the champions of a unitary Indian government but the Muslim League itself that in September last dealt a severe blow to the Pakistan scheme. If the League's contention is that Pakistan cannot maintain itself without the inclusion of large non-Muslim areas within its boundaries and hence this demand, any international tribunal would deem it to be a fatal admission against the case for separation. The notion that any state can be self-sufficient in resources is illusory. It is born of the habit of thinking in terms of property. Sovereignty does not exclude trade and communications and commerce. The right to rule oneself should not be mixed up with economic interdependence. England was independent even before she found her empire. Afghanistan is independent in spite of her poverty, and so are many other states in Asia and Europe.

The break-down of the Gandhi-Jinnah talks in September last gives time for everyone to think about Pakistan on a more clarified basis. If the Muslims can reconcile themselves to a united and federated India, they can have it and even a privileged place in it. This is the line of thought of many thinking Muslims in the provinces throughout India. If the Muslim areas want a half-way house in the shape of confederation of free units in voluntary combination, without prejudice to the potential sovereignty of the units, they can also have such an arrangement. If they do not want to be a unit in any federation or confederation but desire to form the separate sovereign state outlined at Lahore in 1940 they can have that also; but the just, fair and feasible conditions for it have been stated; and it is not easy to see how they could be improved except perhaps in certain minor details. The Indian National Congress has definitely committed itself to recognize the right of regional self-determination; but it cannot agree to partition without ascertaining the wishes of the people as Mr Jinnah demands, for to do so would be inconsistent with all modern notions of constitution-making.

VI

Sir Frederick Puckle who was till very recently in the propaganda secretariat of the Government of India at Delhi, has given to American readers a study of the breakdown of the Gandhi-Jinnah talks. He seeks to extract from the issue of these talks much material to justify the British policy of drift. Sir Frederick says that the issues responsible for the breakdown are: (1) That Mr Jinnah insists on the Muslims and the Hindus being two different 'nations' and (2) that Mr Jinnah desires partition before Britain retires from India, handing over responsibility to a provisional government.

It is truly remarkable, and very significant of British policy, how gently British critics have dealt with Mr Jinnah after this episode of September last. In no other case would obvious intransigence be not only let off without condemnation but so generously analysed and apologized for. The great fact that Gandhiji has agreed to the partition which the Muslim League demanded, on conditions which have been framed so as to satisfy any impartial tribunal, is brushed aside, and attention is diverted to the theory on which the claim for partition is said to be founded. The Lahore resolution of the League makes no reference to the two-nations theory. Let us assume,

however, that the League's demand is based on the notion that the Muslims of Bengal, Punjab, Sind, the Frontier and Baluchistan who speak the four different languages of those four areas and belong to as many if not more ethnic stocks, have coalesced into a nationhood distinct from that of the Hindus of those areas who speak these same languages and come from the same stock. Let us assume also that as a result of the religion professed and political events and controversies of the last few years, a group-consciousness has been developed that forms the basis of the demand for separation. I allow all this for cutting the argument short. It does not still stand to reason that when for the sake of peace and goodwill the demand for partition is accepted, one may also demand the acceptance of a particular theory that is propounded for justifying the demand. Gandhiji did not believe in the theory and therefore could not accept it, but he did not for that reason refuse to agree to the partition, if the people to be separated should vote for it.

Nor is there any more reasonableness in the second point put forward by Sir Frederick Puckle for the Quaid-e-Azam. It is idle to imagine any material difference in the position arising out of the order in which the two constitutional events take place, withdrawal of British domination and partition in terms of the Muslim League demand. Mr Jinnah does not imagine that the British will leave behind when they retire from the scene an army in India to protect the partition from being unsettled. The power to sustain a separate state must come from within not from without, whether the actual partition is prior to the transfer of responsibility or thereafter. How can there be sovereign states in terms of the League resolution before the withdrawal of British authority? Gandhiji's proposal was that a definite agreement should be arrived at now when the British are ruling from Delhi, and that he and Mr Jinnah upon the strength of that agreement should appeal to all the people of India to accept the terms arrived at. There was no question of either party being bound when the other was not. Sir Frederick Puckle's analysis is just British propaganda.

VII

Then we come to the seemingly greater constitutional obstacle to Indian democracy—the protected rulers of Indian States. The Indian princes refuse to march with the times and to give to their own subjects the political rights that the people of the provinces in British India enjoy under the Government of India Act of 1935, although it is well known that there is no difference whatever in the condition, education and culture of the people of the two inter-mingled areas. These princes have been badly advised. A spirit of litigation has somehow seized them. Their territories sprawl all over India and they claim the privilege of creating difficulties for democracy in India by relying on the terms of treaties entered into by their predecessors with the East India Company. On the strength of the terms of those treaties they claim sovereign status as against Indian nationalism, and the support of the British Government for maintaining their personal rule. They claim as a corollary of these treaties the right of refusing to join any democratic federation except on their own individual and specific approval, and they want the right to lay down their own conditions for accession. They say that if and when they agree to join, the representatives of the Indian States on the Federal Legislature are to be nominated by the ruling princes and their advisers and not elected by the people of the States.

The officials and ministers of these States are responsible to no one but the rulers. The so-called representative assemblies are filled to the brim with 'nominated' members and officials and are presided over by the chief executive officer and he has so great an authority in every matter that the debates amount to mere petitioning. Professor Coupland had aptly described the legislative assemblies functioning in the larger Indian States as mere *durbars*. They try to create illusions of democracy with the help of large blocks of members who are not elected by the people but appointed by the executive. Sometimes they talk of the genius and tradition of Indian State areas

and of plans to develop on their own lines as distinct from what is done by way of constitutional reform in British India. All this is just dust thrown in the eyes of foreign critics. The use of the phrase 'internal autonomy' means nothing but the maintenance of the personal rule of princes and their official advisers as against the movement of democracy percolating into their domains. The preposterous claim is made under the old and forgotten treaties with the East India Company that British military forces should protect the personal authority of the princes against their own subjects. Any effective movement for constitutional reform, however non-violent, is given the name of revolt.

Some of the Indian States can certainly show prosperity and industrial advance but this does not mean political progress. It is common knowledge that autocratic rule can achieve certain things quickly whereas they must take considerable time and management in democracies. For instance where in the province of Madras the Provincial government had difficult legislation and endless litigation in order to throw open some Hindu temples to the so-called untouchables, the Government of Travancore merely issued a proclamation and enforced it. It is certainly a fact that Indian States have given scope for the fuller evolution of Indian talent in the field of administration and State-organization of industry. Levels of initiative hitherto closed in British territory against Indian talent were available in the States. But all this being admitted, the political issue is not affected by it. In matters that do not affect the personal authority of the princes and their nominated ministers much can be done and has been done in some of the advanced States. But good personal government is no substitute for democracy and self-rule, and personal government has a tendency always to lapse into tyranny.

Had the princes been better advised, they would have immediately introduced political reforms such as would have placed their own people in every way in the same position as the people of the British provinces upon the introduction of provincial autonomy. They could have reserved for themselves all those powers that in the British area are exercised by the Governors. They did not do this and in explanation tried to create a general and vague impression that the political department of the Government of India was against such reform. I do not believe this was the case. Had the princes wanted to take such steps the British Government could not have found any objection to such power being bestowed on the people of the Governors' provinces. If the rulers of States had given democratic constitutions to their people and retained for themselves the powers of Governors of provinces, they would not have lost but gained prestige and position. In the fullness of time, instead of living in doubt and uncertainty as they are now, they could claim to be chosen as governor-generalship under a dominion constitution. Having proved their capacity for fulfilling the role of the supreme lynchpin in democracy within their own territories, these scions of ancient royal families would have been readily accepted for the same function in the neighbouring provinces. They would have then been deemed better entitled to it than politicians nominated by the British Government to that duty. The constitutional ruler of Travancore or Mysore or Baroda who had proved his worth by governing his own territories on a completely democratic basis would have been certainly more welcome as Governor of Madras or Bombay than a Tory landlord or a younger son of some Conservative duke or earl.

It is not yet too late to recover lost ground. But to do this the rulers and their advisers have to throw away the spirit of niggardliness and establish real democratic constitutions within their territories. In order to achieve this they have only to adopt what is already in operation on the other side of the borders of their States. The experienced officials and public men whom some of the rulers of the bigger States have appointed as their paid advisers have so far not displayed courage and far-sighted statesmanship and advised this obvious course. If they did so even now, there would be a new vista opened out for these princes who today inspiring dread among their

own subjects and themselves living in dread of the officials of the political department of India and try to forget their unhappiness in amusements, sports and festive illuminations and in foreign travel which does not improve and instruct but often damages their inherited health and reputation.

Princely India cannot complicate the issue if Britain makes up her mind. Their claims are inconsistent with modern conditions and needs. Archaic treaties must be interpreted reasonably and no difficulties can really arise on that score. As for the claims of minority communities, such problems present themselves wherever democracy works. In the modern world, where racially and religiously homogenous populations are a thing of the past, we may and must conciliate every minority. But even the most powerful minorities cannot be allowed for all time to veto the lawful aspirations of the majority that democratic self-rule should be established in the land in place of foreign rule. Never has the majority in India objected to an equitable distribution of power and responsibility, or to the most careful and particular protection of the civic, economic and political rights of minorities.

VIII

If the British Government makes up its mind, more than one solution can be found for the interim problem and for the formation of a satisfactory central authority based on popular support.

The simplest solution would be for the British Government to restore the autonomous provincial governments under the Government of India Act of 1935—ordering fresh elections if that is deemed desirable—and for the eleven provincial governments to send one representative each to the Viceroy's Council and to invest them with power to co-opt a few other members and run the interim Government of India for the duration. It is wholly wrong to keep the present absolutist Government going. It is wrong because it is most unwise to foster bitterness and hatred in a vast population.

The British Parliament after great deliberation passed a statute, the Government of India Act, 1935, and part of it was put in operation in 1937; the other part dealing with the Federal Government of India was not brought into force. Either an administration-hoc government, as I have indicated above, or a federal government formed according to the plan in the Government of India Act of 1935, should so far as British provinces are concerned be brought into existence at once. This would promote reasonableness on the part of minorities who are now unwilling to agree to give to the majorities what must be given under any form of working democracy. There can be a definite understanding that while this arrangement will be valid until replaced, as soon as fresh terms are agreed to as a result of mutual adjustment or arbitration such terms will take the place of the relevant provisions of the federal constitution laid down in the present Government of India Act, 1935. There is no reason why a constitution approved by Parliament after great deliberation should lie in the archives without being put into effect, even for the interim period.

Should my suggestion for an administration-hoc interim central government be considered too simple. I suggest the following: Let the Governments of the Provinces be restored under the existing law in all the provinces as early as possible and let each Provincial Government send three representatives to Central Federal Board one of whom may represent the chief opposition in the concerned Provincial Legislature. The Government at the Centre should consist of a Cabinet that will be responsible to this Federal Board. This would be an efficient arrangement for the discharge of the duties of the Central Government for the interim period. The Board and the Cabinet would by reason of their composition command the utmost confidence of the provinces and bring about co-ordination of work in all fields. It would be easy enough to make such an arrangement *de facto* under whatever name it may be, although a *de jure* organization on this basis would require fresh legislation. This interim arrangement would serve as a valuable experience in

the direction of Confederation as a solution of the Indian constitutional problem. If the provinces be realigned so as to produce fairly homogenous units, there is nothing to prevent a plan like what I have suggested here for the interim period being the ultimate constitution of the Central Government of India. It would be a kind of confederation and imply that sovereignty and that right of secession which are the essential features of the Muslim claim for partition. Apart, however, from the question of the ultimate constitution of India, a Federal Board and a Federal Cabinet whose composition is related to the democratic Provincial Governments would be a practical solution of the interim problem.

At the end of the war the British Government's declaration made in March 1942 as to the admission of India to dominion status with rights of secession as are conceded to other dominions should be brought into full effect. In the interim period we can have all the safeguards necessary for the effectual carrying on of the war effort without friction. The Indian National Congress has never questioned the propriety of military affairs being in the hands of the British Cabinet during the period of this war, whatever be the arrangements for the transference of sovereignty to the people of India. This was made perfectly clear in 1942 and reiterated by Gandhiji after his release in 1944. Where complicated group motives have been generated which work against democracy, a sanction is required to quicken the urge for mutual accommodation. That sanction can be found only in one or other of the interim arrangements I have suggested or in some suitable alternative that may be devised. A move on and a threat to stragglers that they will be left behind are the conditions necessary to create the will to agree.

When Gandhiji was released from detention in 1944 there was much hope that the clouds of Indo-British misunderstanding would clear up. Gandhiji's public statements encouraged this hope, but the Viceroy and the Secretary of State for India refused to move out of their entrenched position. Then came the Gandhi-Jinnah talks over the Muslim issue in September 1944 which for a little while raised hopes of a minority settlement that might lend to the evolution of great events. These hopes were all shattered. It was at this time that Sir Tej Bahadur Sapru constituted his committee with the object of examining the whole position and recommending a solution for the impasse. The Committee consists of thirty very able and experienced statesmen. Two of them are members of His Majesty's Privy Council. There are among them no less than four persons who have served as members of the Viceroy's Executive Council, and five persons, who served in the executive councils of the provincial governors. The Committee has among its members no less than six eminent ex-judges who sat either in the High Courts of India or in the Federal Court or on the Judicial Committee of the Privy Council. There are three members who have served as Prime Ministers of one or other of the bigger Indian States and four Vice-Chancellors of universities. Two ex-presidents of the Tariff Board of India are also members of the Committee. The Committee is composed entirely of men not attached to any political party. They were all selected as being unbiased men of undoubted eminence as statesmen and administrators. They have examined the whole question with care as well as expedition and have published their conclusions. They have dealt with the Muslim as well as the British issues.

As regards Pakistan so far as Gandhiji is concerned, he told the Committee that he still stands by his offer, but the Committee could do nothing with it, Mr Jinnah having rejected it and refused to have anything to do with the Sapru Committee. It is not possible to invent any just or firm framework for the principle of partition other than the formula presented to and rejected by Mr Jinnah. Nor has Mr Jinnah formulated an understandable alternative. It is therefore not surprising that the Sapru Committee have recommended a scheme for the settlement of the Muslim issue on a basis different from that of partition.

The Committee have done their best to draw up a plan to meet the fears underlying the Pakistan claim. Their scheme is based on what is popularly known as the 'fifty-fifty' formula. I dislike this violence on democracy and arithmetic. I do not believe that much of either strength or unity will issue out of it. I prefer on a reasonable basis. My conviction was and still is that the object of all constitution-making in India should be to create conditions for bold forward marches in constructive progress. The Central Government of India as well as provincial governments should in my opinion be sources of positive energy and not merely committees for the preservation of peace. Delicately balanced authority may be excellent for negative purposes but is no good whatever when an enormous amount of positive work has to be done, for which initiative and a spirit of adventure are required, and behind which there should be solid backing. Authority squeezed unwillingly out of a fifty-fifty machine is not the sort of thing that can accomplish anything very valuable in India which hungers for so many drastic reforms. I therefore advocated and, but for Mr Jinnah's failure at the psychological moment, would still advocate a partition which would give to each Government the responsibility and the power to make courageous progress without damaging the defence of India or her essential cultural and economic unity. The whole of the world has hereafter to be ordered on this same pattern. Sovereignty, but one limited so as not to become a danger to the neighbourhood or to general peace, is the slogan of the future international order. And neither India nor any political fraction of it can escape this general principle.

In spite of this, Mr Jinnah having put Pakistan out of court, there is nothing left but to accept the alternative although it is an arrangement which cripples action. One is so disgusted with the present situation that one should be willing to sign anything that a body of competent and fair-minded people finally ask us to accept. The Sapru Committee's recommendation for the future can be subjected easily to much negative and destructive criticism. If an ideal plan were possible, it would not have escaped discovery and the issue would not have been pending so long. The question I put to all critics is this: Do you want a solution or not? If you do, have you a solution which is not only better but of which you can reasonably say it may be acceptable to the parties concerned? To suggest utopian alternatives that have no chance of being considered acceptable is mere propaganda for the status quo.

The Sapru Committee's proposals for the governance of India at the Centre are subject-matter for the consideration of the constitution-making body that is envisaged. We are concerned immediately with the Committee's proposals for the interim Government of India and with their suggestions for the constitution of the constituent assembly itself. The objections that I have pointed out above to a government built entirely on the principle of caution and mutual suspicion do not apply to the proposals in respect of the constituent assembly whose work is not to govern the country, but to produce a constitution.

The proposals of the Committee for the interim period are in an alternative form. One is what I have already dealt in an earlier section, viz., the introduction as a purely interim measure of as much of the federal part of the Government of India Act of 1935 as concerns British India. The consent of Princes is irrelevant when dealing with the interim period. In fact the States are not in the interim picture. In certain other ways, too, the Government of India Act may be suitably trimmed in view of the interim character of its application. This alternative has, as I have already indicated, the very strong justification behind it that it is a constitution already approved by Parliament even as permanent measure. The objections raised against it by some sections in India as a permanent measure cannot be advanced when it is only to be a stopgap. The present Central Government is an anachronism that was provided for the waiting period necessitated by the gradual accession of States one after another by negotiation until the minimum fixed in the Act was reached. Now that the waiting is for another object namely the enactment of a Dominion constitution

based on the 1942 Declaration, the old stopgap is wholly unsuited. The Provinces and the centre should not be left un-co-ordinated. This is the very great evil that characterizes the present arrangement. In fact the authoritarian Section 93 administrations in the provinces have been hiding this grave defect, but that is mere accidental circumstance. The Act of 1935 was passed by Parliament as result of long and careful deliberation and was intended to co-ordinate centre and provinces in one organic whole.

The second alternative which the Sapru Committee have proposed for the interim governance of British India is the overhauling of the present Executive Council and manning it entirely with representative Indians, leaving the Commander-in-Chief's position untouched. Those who have reconciled themselves to the existing system cannot object to the improvement that is proposed by the Sapru Committee. It will be the least that can be done to make the transition to full democracy quicker and smoother. It will help to build up necessary conventions for adjustment between Provinces and Centre as well as between the Executive and the Legislature at the Centre. The Sapru Committee's considered recommendations deserve the country's full support so that there may be no excuse on the British side for postponing the question any longer. Academic and purposeless criticism will only help to furnish such an excuse to the die-hards.

After this war, the economic doctrine of non-interference of the State in industry, as well as the political doctrine of individualism, will have to give way to the need for State-planned civil life. We cannot go back to the old order without courting disaster. Unless a popular government takes charge, it will be impossible to move effectively towards a harmonious development of planned civil life in India. There can be little hope of success for plans to put limitations and restraints on private enterprise and competition without the backing of a popular government. Control will easily degenerate into favouritism and corrupt patronage when the official agency is not responsible to local public opinion. Even good measures will appear to be very wrong if taken on the initiative of such a government as is now in charge of affairs. Vested interests are not slow in organizing pseudo-patriotic opposition to any reconstruction or reorganization that threatens to hurt private capital. Propaganda in India is not all done in the newspapers. Without going into details, it would be correct to say, in general, that unless there is a popular government in India it will be impossible to save proposals for national planning from becoming suspect, or if pushed forward, from defeat.

If India is put right, there can be little doubt that she will play a great part in the advance of Asia as a whole. She is entitled to lead Asia by every test except of self government as things now stand. It is the moral responsibility of Britain who was care-taker all these years to put things right in India. She must retire leaving responsibility in the hands of a stable democracy. She cannot absolve herself of the responsibility of solving problems in the creation of which she has had no little part. This moral responsibility has now become that of the Allied Nations also, for they have helped Britain to maintain her imperialist position in India. It is their duty to see that the part they have played does not merely degenerate into service for the maintenance of imperialism, but takes the nobler aspect of world-service.

¹ The following extract from a communication addressed by me to the Sapru Committee should be read here:

'I may clarify a point which has been deliberately misrepresented by certain advocates of the Muslim League. It is only for fixing the Pakistan area of the Punjab and Bengal that I have in my formula asked for examination of population statistics district by district. Once the area is thus delimited my formula leaves the verdict on the issue of separation to the people inhabiting the delimited area as a whole. It is not the intention of the formula to take the plebiscite district by district. The clause as to the right of districts on the border is a safeguard to ensure the prevailing of popular opinion where the contiguity would not thereby be distributed.'—C. Rajgopalachari.

Chapter 5. The Wavell Plan and the Simla Conference

1. Broadcast Speech by Wavell, New Delhi, 14 June 1945

N. Mansergh (ed.), *The Transfer of Power*, Vol. V, 1974, pp. 1122–4.

I have been authorised by His Majesty's Government to place before Indian political leaders proposals designed to ease the present political situation and to advance India towards her goal of full self-government. These proposals are at the present moment being explained to Parliament by the Secretary of State for India. My intention in this broadcast is to explain to you the proposals, the ideas underlying them, and the method by which I hope to put them into effect.

This is not an attempt to obtain or impose a constitutional settlement. His Majesty's Government had hoped that the leaders of the Indian parties would agree amongst themselves on a settlement of the communal issue, which is the main stumbling-block; but this hope has not been fulfilled.

In the meantime, India has great opportunities to be taken and great problems to be solved, which require a common effort by the leading men of all parties. I therefore propose, with the full support of His Majesty's Government, to invite Indian leaders both of Central and Provincial politics to take counsel with me with a view to the formation of a new Executive Council more representative of organised political opinion. The proposed new Council would represent the main communities and would include equal proportions of Caste Hindus and Moslems. It would work, if formed, under the existing Constitution. But it would be an entirely Indian Council, except for the Viceroy and the Commander-in-Chief, who would retain his position as War Member. It is also proposed that the portfolio of External Affairs, which has hitherto been held by the Viceroy, should be placed in charge of an Indian Member of Council, so far as the interests of British India are concerned.

A further step proposed by His Majesty's Government is the appointment of a British High Commissioner in India, as in the Dominions, to represent Great Britain's commercial and other such interests in India.

Such a new Executive Council will, you realise, represent a definite advance on the road to self-government. It will be almost entirely Indian, and the Finance and Home Members will for the first time be Indians, while an Indian will also be charged with the management of India's Foreign Affairs. Moreover Members will now be selected by the Governor-General after consultation with political leaders; though their appointment will of course be subject to the approval of His Majesty the King-Emperor.

The Council will work within the framework of the present constitution; and there can be no question of the Governor-General agreeing not to exercise his constitutional power of control; but it will of course not be exercised unreasonably.

I should make it clear that the formation of this interim Government will in one way prejudice the final constitutional settlement.

The main tasks for this new Executive Council would be:

First, to prosecute the war against Japan with the utmost energy till Japan is utterly defeated.

Secondly, to carry on the Government of British India, with all the manifold tasks of post-war development in front of it, until a new permanent constitution can be agreed upon and comes into force.

Thirdly, to consider when the Members of the Government think it possible, the means by which such agreement can be achieved. The third task is most important. I want to make it quite clear that neither I nor His Majesty's Government have lost sight of the need for a long-term solution, and that the present proposals are intended to make a long-term solution easier.

I have considered the best means of forming such a Council; and have decided to invite the following to Viceregal Lodge to advise me:

Those now holding office as Premier in a Provincial Government; or, for Provinces now under Section 93 Government, those who last held the office of Premier.

The Leader of the Congress Party and the Deputy Leader of the Muslim League in the Central Assembly; the leader of the Congress Party and the Muslim League in the Council of State; also the leaders of the Nationalist Party and the European Group in the Assembly.

Mr Gandhi and Mr Jinnah as the recognised leaders of the two main political parties.

Rao Bahadur N. Siva Raj to represent the Scheduled Classes.

Master Tara Singh to represent the Sikhs. Invitations to these gentlemen are being handed to them today and it is proposed to assemble the Conference on 25th June at Simla where we shall be cooler than at Delhi.

I trust that all those invited will attend the Conference and give me their help. On me and on them will lie a heavy responsibility in this fresh attempt to make progress towards a final settlement of India's future.

If the meeting is successful, I hope that we shall be able to agree on the formation of the new Executive Council at the Centre. I also hope that it will be possible for Ministries to re-assume office and again undertake the tasks of government in the Provinces now administered under Section 93 of the Constitution Act and that these Ministries will be coalitions.

If the meeting should unfortunately fail, we must carry on as at present until the parties are ready to come together. The existing Executive Council, which has done such valuable work for India, will continue it if other arrangements cannot be agreed.

But I have every hope that the meeting will succeed, if the party leaders will approach the problem with the sincere intention of working with me and with each other. I can assure them that there is behind this proposal a most genuine desire on the part of all responsible leaders in the United Kingdom and of the British people as a whole to help India towards her goal. I believe that this is more than a step towards that goal, it is a considerable stride forward, and a stride on the right path.

I should make it clear that these proposals affect British India only and do not make any alteration in the relations of the Princes with the Crown Representative.

With the approval of His Majesty's Government, and after consultation with my Council orders have been given for the immediate release of the members of the Working Committee of Congress who are still in detention. I propose to leave the final decision about the others still under detention as the result of the 1942 disturbances to the new Central Government, if formed, and to the Provincial Governments.

The appropriate time for fresh elections for the Central and Provincial legislatures will be discussed at the Conference.

Finally, I would ask you all to help in creating the atmosphere of goodwill and mutual confidence that is essential if we are to make progress. The destiny of this great country and of the many millions who live in it depend on the wisdom and good understanding of the leaders, both of action and of thought, British and Indian, at this critical moment of India's history.

India's military reputation never stood higher in the world than it does at present; thanks to the exploits of her sons drawn from all parts of the country. Her representatives at International Conferences have won high regard for their statesmanlike attitude. Sympathy for India's aspirations and progress towards prosperity was never greater or more widespread. We have thus great assets if we can use them wisely. But it will not be easy, it will not be quick; there is very much to do, there are many pitfalls and dangers. There is on all sides something to forgive and forget.

I believe in the future of India and as far as in me lies will further her greatness. I ask you all for your co-operation and goodwill.

2. Gandhi's Wire to Wavell, 15 June 1945

Sent in reply to Wavell's wire inviting Gandhi to the Simla Conference.

CWMG, Vol. 80, p. 329.

Express
H.E. Viceroy
New Delhi

Received kind wire of invitation. For reasons given in my wire sent to you last night I have no place in your conference. As an individual I can only tender advice. May I then say that there are no caste and casteless Hindus who are at all politically minded. Therefore the word rings untrue and offensive. Who will represent them at your table? Not Congress which seeks to represent without distinction all Indians who desire and work for independence. Hence the existence of Hindu Mahasabha claiming to represent Hindus as such. I apprehend that even that body will disclaim representing Caste Hindus. Moreover broadcast seems rigorously to exclude use of the word independence. Accordingly it seems to me to demand revision to bring it in line with modern Indian thought. I suggest publication of our wires.

Gandhi

3. Weigh Well

Editorial, *Bombay Chronicle*, 15 June 1945.

We have read and considered Lord Wavell's proposals for the immediate constitution of Government of India with all the seriousness the occasion demands and we regret that the proposals are in several respects extremely disappointing. They will have to be appreciably improved particularly in practice, before they can serve the purpose intended to be served or satisfy the country as a whole. They are in fact, worse than the Cripps proposals which were rejected three years ago by almost all the responsible parties in the country. In the first place there is no definite assurance here as there was in the proposals that immediately after the war a constitution framed by the Indians on the basis of complete Self-Government inside or outside the Empire would be acceptable or implemented forthwith by the British Government. The new announcement doubtless refers to the full Self-Government as the goal. But there is neither a time limit nor an assurance of

independence outside the Empire if Indians so desired. But Mr Amery's statement in Parliament says: 'The offer of March 1942 stands in its entirety without change or qualifications.' Let us hope that there is no snag or reservation in this statement.

It is clear that Lord Wavell's proposals are meant only to affect the wartime Government of India leaving the future plans to be considered later. Even then the proposals fall short of the Cripps scheme as modified by the British Government in the light of the negotiations between the Congress President Maulana Abul Kalam Azad and Sir Stafford Cripps. The new proposals provided that the Viceroy's Council should be composed of representative Indians except that, besides the Viceroy, the Commander-in-Chief will retain his seat as War Member. Under the Cripps scheme, modified as suggested above, an Indian representative member was to be added to the Viceroy's Executive 'who would take over those sections of the Department of Defence which can organisationally be separated immediately for the Commander-in-Chief's "War Department". In addition this member would take over the Defence Coordination Department which at present is directly under the Viceroy and certain other important functions of the Government of India which are directly related to Defence and which do not fall under any one of other existing Departments.' Under the present scheme however there is to be no Indian Defence Member at all.

Disappointing as are the proposals about the transfer of portfolios to Indians but we must realise that much more depends upon the power transferred to them. And that, as we suggested on Monday last, depends most on the exercise of veto by the Viceroy. We then remarked: 'If Sir Stafford Cripps had not returned precipitately and in a huff as soon as the question of veto came up for discussion, there was fair possibility of some understanding being arrived at. If the offer was made otherwise acceptable but the assurance about the veto was vague even then there was a possibility of the scheme being given a trial on the condition that one or more parties will resign if they were dissatisfied with the exercise of veto.' The Viceroy has now given an assurance that 'the veto will not be used unreasonably'. The assurance is doubtless somewhat vague but it will not do in politics so long at any rate as we all assume that at present or till Indians prepare the final constitution, the present constitution is to function, except for a small technical change about the personnel of Viceroy's Council. The Viceroy's assurance therefore, nay his will, be put to a test. It is also encouraging to find in Amery's statement that in the event of a settlement on the basis of the new proposals only 'full accredited representatives will be appointed for the representation of India abroad.' This will be a great advantage to India at the various peace conferences that will be held in the near future. We must appreciate government goodwill in releasing Congress leaders. All things considered, therefore, we feel that the new proposals, whose success will depend most on the way they are worked in practice, should not be summarily be rejected but should be weighed well having regard to the realities of the situation. We have no doubt that the Working Committee of the Congress will give them careful consideration. As we have said before, much depends upon how Lord Wavell will act up to his assurance that he will not use his veto unreasonably. The more he voluntarily assumes the position of a constitutional ruler the better for the scheme, for India, and for Britain. Let us hope he will play the game scrupulously.

4. Wavell Proposals

Editorial, *Hindustan Times*, 15 June 1945.

In his broadcast speech explaining his proposals to solve the Indian political deadlock Lord Wavell tried to avoid anything which might irritate Indian public opinion and showed commendable eagerness to ensure sympathetic consideration of his plan. His announcement of the release of

members of the Congress Working Committee, coupled with the significant statement that 'there is on all sides something to forgive and forget', should go far to induce the public to scrutinise the proposals on their merits in spite of the bitterness of the last three years. The Viceroy's broadcast, the White Paper presented to Parliament and the speech of the Secretary of State in the House of Commons should all be taken together in order to form a correct appreciation of the full scope and implication of the proposals. They are confined to an interim solution of the political deadlock. They do not propose, like the ill-fated Cripps offer, to solve both questions, that of the transitional period and of the future Indian constitution, at one stroke. The supreme importance of the question of the future constitution is acknowledged by both Lord Wavell and Mr Amery. They contend that progress towards it has been blocked in the absence of a communal settlement. We do not propose to go into this controversy as it is not relevant for consideration of the present proposals. We note, however, that Mr Amery has categorically reaffirmed the principles of the offer of March 1942 regarding India's future. As both he and the Viceroy have declared that one of the main objectives of the interim proposals is to bring about a long-term solution, it will be sufficient to examine whether the present offer meets the immediate needs of the situation. The Indian demand for an interim solution has always been the establishment of a National Government in the Centre fully responsible to the Indian people in every way. The British reply has been that this was not possible under the present constitution which cannot be changed during the war, and without an agreement of all the major elements of the Indian population. During the Cripps negotiations in 1942, an attempt was made to combine the two parties and evolve the structure for a *de facto* National Government without any major changes in the existing constitution. The negotiations broke down on the question of Defence and the Governor-General's veto. It must be confessed that the present scheme does not show any marked improvement in respect of either. The Commander-in-Chief will continue to be War Member and Lord Wavell has explicitly stated that 'there can be no question of the Governor-General agreeing not to exercise his constitutional power of control'. He has, however, been careful to add that 'it will, of course, not be exercised unreasonably'. This, coupled with Mr Amery's explanation that the veto is a reserve power to be used mainly in Indian interests, may be deemed to be an attempt to allay any Indian apprehensions on this score. The Viceroy has tried to conciliate Indian public opinion by two new concessions. The portfolio of External Affairs, which has hitherto been held by the Viceroy, is now proposed, as suggested by the Sapru Committee, to be put in charge of an Indian member of the Council so far as the interests of British India are concerned. The White Paper explaining this says that as a consequence 'fully accredited representatives shall be appointed for the representation of India abroad'. It is also proposed to relieve the Viceroy of his responsibility to look after British commercial interests in India and entrust them to a British High Commissioner as in the Dominions. Presumably this is a gesture in the direction of treating India as a *de facto* Dominion.

Perhaps the most notable departure is in the method proposed for the reconstitution of the Executive Council so as to make it 'more representative of organised political opinion'. Sir Stafford Cripps interviewed Indian leaders chosen at random without any clear idea how these consultations could bear fruit. It is now proposed to call a meeting of persons whose representative capacity is beyond all doubt. The Premiers of provinces where popular ministries are functioning, the ex-Premiers of provinces now under Section 93, the leaders of parties of the Central Legislature, together with Mahatma Gandhi and Mr Jinnah as leaders of the two foremost political organisations in the country, constitute a powerful body of popular representatives. We must, however, urge that in the case of Congress representation the wishes of the Working Committee, a majority of whose members have just been released, be duly considered. The proposals do not suggest how this conference of leaders is to come to any decision and how far its recommendations will be

binding on the Viceroy. We can, however, appreciate the need for elasticity, and provided the Viceroy is in earnest, as he appears to be, these matters of procedure should be capable of easy solution. The main thing is that the new Council should be indisputably an organ of the national will and should be recognised by the people as such. The Viceroy's part should be confined to ascertaining the maximum measure of agreement among the representatives invited and acting implicitly upon their advice.

It is a pity that the Viceroy's did not adopt a more positive attitude regarding the disappearance of Section 93 regimes and the reinstatement of popular ministries in their places. A firm declaration that this step would be taken immediately would have strengthened his hands in his attempts at a solution of the deadlock at the Centre. We trust that his hope that coalitions will be formed in the provinces will not encourage intransigents who may wish to take up an impossible position. Coalitions on reasonable terms will be welcomed by the Congress which is most concerned in solving the Hindu-Muslim differences. No political plan can be judged in a vacuum. In view of all that has happened and the state of affairs in this country and the imperative need to tackle the transitional and post-war problems, Indian opinion is unanimous that popular Governments must function immediately both at the Centre and in the provinces. Lord Wavell has made sincere effort to seek the co-operation of the people of India on honourable terms. We have no doubt that his proposals will receive the serious consideration they deserve. We earnestly hope that during the war neither the Viceroy nor the British Government will consider any part of their proposals as a rigid and unalterable feature but will be ready and anxious to meet the wishes of the leaders.

5. Wavell Proposals

Editorial, *Amrita Bazar Patrika*, 16 June 1945.

It is not in a spirit of defeatism that the proposals of the British Government, conveyed through the Viceroy, are to be considered. When we say this we do not mean that the present political situation as compared to that when the Cripps offer was made is not to be taken into account. British Empire in India was in great danger when the Churchill Government deputed Sir Stafford Cripps in March, 1942, with proposals that were intended to enlist the whole-hearted support of India in the war that was raging furiously in Europe and at the gates of this country. It is true that Japan is yet to be fought and defeated but the task has been made considerably easier by the end of the war in Europe. Mr Churchill's election speeches and the policy that the Tory Government has been following in regard to India indicate to us the difficulties that we have to face and which call for the display of patriotism of the highest order on our part.

We may not admit the claim of the Viceroy that his proposals represent 'a definite advance on the road to self-government'. It would be more correct to say that the proposals are more retrograde than those associated with the name of Sir Stafford Cripps and present to us greater hurdles to be crossed. The Cripps offer had at least the merit of presenting a blue-print for the future constitution of India. And he was authorised to discuss also the possibilities of having an interim Government reconstituted on a popular basis. The Wavell offer leaves out the future altogether and is concerned only with the present. In content and in the method of approach the Cripps proposals, as they finally emerged in consultation mainly with the Congress leaders, were more satisfactory than those that can be reasonably claimed for the present offer. In the first place, Sir Stafford attached great importance to arriving at a settlement with the Congress which he recognised had the right to speak for nationalist India. Next in importance in his estimation came the Muslim League. His approach till almost the end of the discussions was political rather than communal. Contrary is the case in the Wavell offer. Here we find the approach to be more from the communal rather than

from the political angle. The Viceroy's Executive Council is to be constituted not on a political but communal basis. In conformity with the British policy sufficient room is left for communal controversy in connection with the proposed constitution of the Viceroy's Executive Council. An agreement with the Congress and the League even on the communal issue was easier than the agreement the Viceroy expects will result from the presence of representatives of several other communal groups in the conference he proposes to call.

It is no doubt true, as the Viceroy claims, that the proposed Executive Council, except for the Viceroy and the Commander-in-Chief, will be completely Indian in complexion. But Indianisation itself does not carry with it the assurance of team work if the component groups are not imbued with the same ideal and directed by the same policy. Then again, so far as the Defence portfolio is concerned, it would seem that the Commander-in-Chief will be in charge not only of the operational strategy but also of Defence administration in all its branches. In the Cripps offer a Defence Department was proposed to be created to administer some of its branches which were formerly under the direction of the Commander-in-Chief. One reason of the failure of the Cripps negotiation was the allocation to the Indian Defence Member of branches of administration which the Congress considered as of minor importance. The Wavell offer proposes to cut the Gordian knot¹ by placing in charge of the Commander-in-Chief the entire portfolio of Defence in all its branches. The Cripps offer was also more satisfactory in this that it offered the Indian political parties an opportunity to come to an agreed formula in which event the British Government was prepared to withdraw its own plan. No such opportunity is offered in the present scheme which is either to be accepted in to or rejected. The Viceroy expects an agreement to result from the working of the scheme itself. He does not say whether modifications, if any, proposed by the conference will be accepted. In regard to the Viceroy's veto on which issue ultimately the Cripps negotiations broke down, there is not only no improvement suggested in the present scheme but the unqualified statement is made that 'there can be no question of the Governor-General agreeing not to exercise his constitutional power of control'. He gives the assurance, however, that 'it will of course, not be exercised unreasonably'. Since he will be the sole judge of what is reasonable and what is unreasonable, this assurance does not make the position better in any way.

The Viceroy admits that his scheme does not offer a long-term solution, but he claims that such a solution will be easier if the leaders of Indian parties will accept the scheme and agree to work within the limitations of the present Constitution. We also express the hope that if leaders agree to accept the scheme they will sink their differences at least for the moment and make use of it to develop the spirit of unity with a view to wresting power from unwilling hands.

As we have observed, in the proposed constitution of the Viceroy's Executive Council seeds of discord have been planted. The Viceroy will nominate the members of the Executive Council after consultation with leaders, but it is stated at the same time that 'the proposed new Council would represent the main communities and would include equal proportions of Caste Hindus and Muslims'. On what principle has this equality of proportion between Caste Hindus and Muslims been reached? Roughly, the Caste Hindus number 250 million, the Scheduled Castes 60 million and the Muslims 89 million. The Caste Hindus, therefore, are about three times the number of Muslims. Here is almost an invitation to precipitate a communal controversy. It may be said that the arrangement is only temporary, but past experience has shown that temporary expedients based on communal conceits have a tendency to bring about progressive deterioration of the communal situation. It would not have mattered much had the representation been on the basis of political parties. The Cripps offer, as we have seen, avoided that mischief and in this respect, therefore, its outlook was more liberal than that of the present scheme. We can only fervently

hope that the conference, when it is called, will devise a more satisfactory representation and avoid falling into the trap that has apparently been laid out of a set purpose.

The Executive Council under the present plan will have no more powers than those proposed for the Council as envisaged in the Cripps scheme. A new feature in the present scheme is that there will be a British High Commissioner in India, as in the Dominions, to represent Great Britain's commercial and other such interests in India. But the great difference will be that while in the Dominions the Governor-General is the constitutional head and cannot, therefore, interfere with the policy of his Cabinet in regard to commercial or any other matter, here in India the Viceroy may quite conceivably allow himself to be influenced by the British High Commissioner to exercise his 'constitutional control' in the interest of British commerce and industry. As regards the proposed composition of the conference, it is to be noticed that the gentlemen to whom invitations have already been issued will be present in their individual capacity and not as representatives of their parties and organisations. There will be representatives of British interests among them whose presence, instead of serving as a cement, may lend strength to the elements of discord. If the proposals are accepted Coalition Governments will be formed in the provinces. If no agreement is reached, the present Executive Council will continue. It is apparently expected that with this Damocles' sword hanging over it, the conference will be induced, if not coerced, into an agreement.

We do not forget while offering this criticism of the scheme that nothing better could be expected from the Churchill Government. We recognise that more than one apple of discord has been thrown in our midst. That, in our view, should only make us more determined than ever not to be divided at this crisis. Some sacrifice will have to be made, some unreasonable demands will have to be conceded, some adjustments will have to be made—all with a view to the eventual achievement of India's freedom. There is just a possibility that even with an Executive Council (which is not to be a Cabinet) as proposed to be constituted, there will be manifest a spirit of comradeship in recognition of the truth that freedom cannot come as a gift; it will have to be fought for. If only the whole position is viewed from the stand-point of highest patriotism a way may be found out of the present political and communal impasse.

¹ Gordian Knot: Solve a difficult problem in a direct and forceful way. Originated from the legendary knot tied by Gordius, King of Gordium, and cut through by Alexander the Great in response to the prophecy that whoever untied it would rule Asia.

6. Gandhi to Lord Wavell, 16 June 1945

CWMG, Vol. 80, pp. 335–6.

'Dilkhusha', Panchgani 16 June, 1945.

Dear Friend,

I thank you for your telegram of yesterday received at 3.45 p.m. My second telegram, acknowledging your kind telegraphic invitation, evidently crossed yours. I am sending you this letter in reply, instead of wiring, because I am anxious that you should understand my position thoroughly. However, I am sending you a wire intimating the dispatch of this letter. For ready reference, I am enclosing herewith a copy of my Press message which was issued yesterday in the morning. I would like you to go through it.

While it is true that my position is technical, the reality of it is truer. My official and legal connection with the Congress was deliberately, and with the consent of the All-India Congress Committee, severed in order to enable me all the better to serve the common cause. This position

therefore cannot be changed at will. In the forthcoming official conference, I can have no official position. My presence in it will change the official colour, unless I become an official representative of the Congress. But if you think that my help is desirable and that without being a member of the conference I am likely to be useful, I shall make it a point to be at your service before and even during the conference proceedings, assuming, of course, that the Working Committee wishes likewise.

I want to cite an analogy. You may have known the late Deenabandhu, as C.F. Andrews was affectionately called by us. He severed his official connection with the Cambridge Mission and the Church in order to serve religion, India and humanity better. The position he occupied as a valuable link between India and England, whether official or non-official and, between all classes and parties, grew as days went. If I can, I would love to occupy such a position. It may never come to me. Man can but try.

You have suggested further consideration and consultation, both of which I have done. I am within an easy distance of Yeravada Central Prison, where Sardar Vallabhbhai Patel and Shri Shankarrao Dev were recently transferred from Ahmednagar Fort. Almost immediately after their discharge from the jail yesterday they motored to Panchgani and are still with me. I have shown them all the necessary papers and they concur with me in what I am writing.

In the task you have undertaken, of which I fully appreciate the difficulty and delicacy, you certainly need the assistance and goodwill of all the parties. The Congress help you naturally cannot have without the Congress being officially represented at your table. The first and also perhaps the main purpose of the discharge of the remaining members of the Working Committee will be frustrated unless you secure the presence at your table of the President of the Congress or whomsoever he and his Committee may appoint for the purpose. If my supposition is correct, my immediate advice is that you should invite the President of the Congress. I expect that the ban on the Congress has been or will be lifted to the extent it still exists.¹

I am
Yours sincerely,
M.K. Gandhi

Enclosure: 1
H.E. The Viceroy
The Viceroy's House
New Delhi

¹ Acknowledging this telegraphically on 17 June, the Viceroy said: 'I understand your position. I am looking forward to seeing you on 24th and hope means may be found for you to take part in proceedings of the conference. I shall be grateful if you will communicate the following message to Maulana Abul Kalam Azad from me: "I invite you to attend to nominate duly authorised representative to attend conference at Viceregal Lodge, Simla, at 10.30 a.m. on Monday, 25th June. Accommodation will be arranged for representative if required." I have not released your letter or this telegram to the Press, but have no objection to their being published.'

7. The Wavell Plan

Editorial, *Leader*, 16 June 1945.

It will be easy enough to find fault with the Wavell plan to end the deadlock. Here is no recognition of the status of India as a Dominion, as there well might have been. Defence is to continue to be a reserved subject, the sole responsibility of the British Government. The Viceroy's veto is to remain. The parity between caste Hindus and Muslims, a formula for which we are indebted to the Sapru

Committee, will appear to many as the thin end of the wedge, to doom a majority to the perpetual position of a minority. Neither the President of the Congress nor distinguished Congress leaders like Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Babu Rajendra Prasad have been invited to the Simla conference which is to decide the composition of the Central Government. The Hindu Mahasabha is also not to be represented in it. The question of general elections has been left over for decision by the conference, instead of being announced immediately. And worst of all, though the members of the Congress Working Committee have been released, the rank and file who suffered so terribly because of their participation in the rebellion of August are to remain behind the prison walls till the new Government is formed and decides to set them at liberty.

Nevertheless we hope there will be no hasty criticism or condemnation. So many issues, pregnant with possibilities of weal or woe to the suffering millions of our people, are at stake, that rash counsel or flippant judgment will be a dis-service to the country. Now that the members of the Congress Working Committee have been released, it will be for them to meet, consider the plan in the light of the present situation and decide what course to take. We presume that if either Gandhiji or the Congress Working Committee express the desire, the Viceroy will not stand in the way of invitations being extended to a few more Congress leaders whose presence in the conference will be indispensable if its decisions are to carry authority with the people of this country. If the conference also expresses the desire for the declaration of a general amnesty so far as Congress prisoners still in detention are concerned, we hope that the Viceroy will respect the desire and release these prisoners—many of whom are being detained without undergoing any trial. Other modifications which the leaders may suggest must also receive due consideration. The offer should, in no sense, be considered final.

As for the scheme itself, we feel that it has possibilities which can be exploited in the interests of freedom and the welfare of the toiling millions. If we can succeed in forming a strong Central Government, consisting of our foremost public men, we shall have no reason to feel either that they will let down the interests of this country or that they will act as the willing tools of the Imperial Government. To the extent to which we shall assert ourselves in the new positions in which we will be placed, shall we further the freedom of our country. Defence it is true, will continue to be the responsibility of the British Government. But the influence which a National Government will exert on the defence policy of the country will not be small. It is also a fortunate circumstance that in Sir Claude Auchinleck India has a commander-in-chief more sympathetic towards India's national aspirations than possibly any previous commander-in-chief, so that we have in advance conditions which will make for harmonious working between the National Government and the Defence department. It may also be remembered that in the now famous Gelder interview¹ Mahatma Gandhi had expressed the view that he would be satisfied if the National Government had full control over civil administration.

The complete Indianisation of the Executive Council, except for the Viceroy and the commander-in-chief, for which public opinion in this country had been pressing for a long time, is no inconsiderable step towards the achievement of full freedom. For the first time we shall have Indians as Finance and Home Members. The rigidity with which Finance was kept in European hands had bred the suspicion, which latterly had become a firmly-held conviction, that the financial interests of this country had always been made to subserve those of Britain. Whether that suspicion was justified or not, it will now be for Indians to see that financial policy is brought into line with national interests. Because of the part played by a long succession of Home Members in the perfecting of political repression, the Home Department of the Government of India has earned an unenviable reputation for itself as a milder but no less detestable Gestapo or the OGPU.² It will now be for Indians to live down that reputation and make that department the custodian of the

moral and material interests of the people. The transfer of these departments has given a content and reality to the plan which it will not otherwise possess.

What will be the relation of the new Executive Council with the Viceroy on the one hand and the legislature on the other? Since the Council will be constituted within the frame-work of the present constitution, the power of veto which the Viceroy possesses will remain and the Council will also not be statutorily responsible to the legislature. As regards the veto, however, we have the assurance of the Viceroy that this power will not be exercised unreasonably. We hope when the new Government is formed it will be possible for the Viceroy to go further and give the assurance that he would not exercise this power ordinarily. So long as Lord Wavell is the Viceroy we may be certain that this power will not be brought into use ordinarily and for the rest it will be for the new Government to give any Viceroy clearly to understand that it will not easily allow itself to be dictated to the ever constant use of this power. And as for responsibility to the legislature Mr Amery, more anxious to darken the shadows than play upon the light, has stressed that 'there can be no' question of making the executive 'responsible to the legislature', but even he admits that the new Executive would, in fact, though not as the outcome of any formal constitutional changes, be more representative of organised political opinion. Since the new Government will consist of representatives of parties, it will no doubt have the support of the legislature for its policies and programmes. But even if at a later date it ceases to possess the confidence of the legislature, we are sure the new Government, as it will be constituted, will prefer to resign rather than carry on against the wishes of the legislature. If it does so the Government will, in fact, be responsible to the legislature though not in law.

On the question of parity between caste Hindus and Muslims what the Government has done is to accept the formula suggested by the Sapru Committee. As a permanent solution of the communal problem there will be many who will consider this too high a price even for the preservation of the unity of the country. But the present scheme is only for the formation of an interim government and is in no way intended to prejudice the final constitutional settlement. Whether a final solution of the communal problem should be found in separation or giving the Muslims undue weightage in a unified India is a question which can be left for future consideration. To those who would object to the injustice done to the Hindus, we would point out that without some such concession to Muslim intransigence there is no hope of forming an interim popular government. It is the price that nationalist India is being asked to pay to secure Muslim cooperation at the centre and even the price will be worthwhile if it helps in soothing frayed nerves and makes a final settlement of the problem easy.

There is another aspect of the Wavell plan which we feel merit attention. With a popular government in office, India will enjoy under it a large measure of internal autonomy. The scheme also provides that the portfolio of External Affairs, so long held by the Viceroy, so far as it relates to British India, will be in charge of an Indian. India will then be in a position to have her own diplomatic representative abroad, not agents who will play second fiddle to British ambassadors. His Majesty's Government will also appoint a British High Commissioner in India, as in the Dominions, to represent British commercial and other interests. This will give us a limited measure of external autonomy as well. Why this change has not been accompanied by a formal recognition of India as a Dominion is a mystery which may be cleared only in the future, but even without this recognition India will be able to establish contacts which will enable her to play her part in the international sphere. Whatever its defects, and these can be remedied in the course of the consultations which will take place in the next few days and during the actual working of the plan, it has possibilities which it is in our interest to explore. We are passing through a critical period in our history. The post-war years will be vital to our national development. Large questions of

policy, both internal and international, will come up for decision. At such a time, it is imperative for us to have a National Government which will speak for the people as a whole and will safeguard their interests. To leave these questions for decision to a Government which takes its orders from Whitehall will be to mortgage our future for a long time to imperial interests. To prevent such a calamity, it is imperative that we should have at the centre a Government which we can consider as our own. That is why we hope that the Congress Working Committee, after considering the scheme in all aspects and seeking to improve it as far as it can, will see its way to accept it. And for once, we hope even Mr Jinnah will see reason and place the interests of the starving millions before his own prestige and the prestige of his organisations of which he is so zealous.

¹ It is the correspondent of *News Chronicle*, Stuart Gelder's interview of Gandhi, 4–6 July 1944, on National Government in India.

² The secret police service of Nazi Germany and the early security and political police of Soviet Union, respectively.

8. Gandhi's Telegram to Wavell, 17 June 1945

CWMG, Vol. 80, p. 341.

Panchgani
17 June 1945

Express
H.E. Viceroy
New Delhi

Deeply appreciate your wire received yesterday evening. In order regularise procedure and facilitate despatch of work without disturbing number of members conference I suggest immediate invitation to Congress President. President attend conference or depute Congress nominee. If fixity of parity between Caste Hindus and Muslims unchangeable religious division will become officially stereotyped on eve of independence. Personally I can never subscribe to it nor Congress if I know its mind. In spite of having overwhelmingly Hindu membership Congress has striven to be purely to nominate all non-Hindus and most decidedly non-caste Hindus. You will quite unconsciously but equally surely defeat purpose of conference if parity between Caste Hindus and Muslims is unalterable. Parity between Congress and League understandable. I am eager to help you and British people but not at sacrifice of fundamental and universal principles. For it will be no help. If you desire text yesterday's letter earlier I can telegraph contents.

Gandhi

9. Syama Prasad Mookerjee on Viceroy's Offer, Calcutta, 16 June 1945

Amrita Bazar Patrika, 17 June 1945.

Our worst suspicions have been confirmed by the announcement made by Lord Wavell in Delhi and Mr Amery in London. There can be no doubt that the main purpose of the scheme is further to placate the Moslem League and to crush the legitimate political rights of Hinduism. The Hindu Mahasabha which is acknowledged to be the only organisation that can rightfully represent the Hindu cause has been excluded even from consultation, although both Lord Wavell and Mr Amery claim that their object is to secure genuine support from all important parties and communities in India. The Hindu Mahasabha was represented at successive sessions of the Round Table conference, it met Lord Linlithgow on invitation immediately after the declaration of the war along with other

political parties: Sir Stafford Cripps received its representatives and discussed his plan with them. The only object of excluding the Mahasabha at this stage is that the British Government and Lord Wavell know that it will ruthlessly oppose any scheme which is intended to sacrifice the Hindus and the national cause at the altar of intransigent communalism.

By no standard of logic or fairplay, equity or justice, can any honest government justify the allocation of equal seats to two communities in India, one numbering about 250 millions and the other about 90. How, again, can 90 millions of Muslims be given five seats and 60 millions of Scheduled Castes one seat? Every community and interest as such will have representation in India, but not the Hindu as such, although they form more than 70 per cent of Indian population. The Hindu Mahasabha will, therefore, unhesitatingly repudiate Lord Wavell's new plan. I have every hope that Hindus throughout India, irrespective of party affiliation, will be fully awakened to the perils that threaten the very existence of their motherland, if the scheme is allowed to be adopted by the British Government. Where they are in a minority, they are now being crushed under the unjust and undemocratic load of a so-called Communal Award. Where they are in a majority, they are to be artificially reduced to a minority for the purpose of placating parties and interests whose aim and policy are wholly inconsistent with the true ideal of Indian freedom. Lord Wavell has also deliberately ignored the view point of Muslims outside the League who have thought and worked on Nationalist lines for the attainment of India's political liberty. Indeed a cursory glance at the list of invitees and the general structure of the scheme goes to show that while it is a dishonest device to disrupt and disunite the Hindus and to ignore their legitimate rights on the one hand, all Moslems are being compelled to accept the banner of the Muslim League on the other. A sordid and unabashed Anglo-Muslim League conspiracy has been the real hindrance to India's freedom. Hindus have been penalized mainly for their ardent patriotism and their anxiety to throw off the foreign yoke.

Today it is proposed to place the whole of India at the mercy of the conspirators and Lord Wavell has asked for co-operation of the Congress to achieve this end. A new Communal Award, more monstrous than the first, is going to be thrust on India. Acceptance of the principle of Pakistan by Gandhiji, equal representation between Caste Hindus and Moslems enunciated by the Sapru Committee and the subtle and secret intrigues of some individual Congressmen for achieving unholy pacts have emboldened Lord Wavell to come out with his new plan to give a fatal blow to the cause of Indian nationalism and liberty.

Apart from the communal aspect of the problem, what is it that Lord Wavell offers India today? India's status as a slave country to be ruled by an all-powerful and autocratic Viceroy and Secretary of State continues unchanged. What does it matter to India whether the Executive Councillors are a mixed lot of white and brown or all brown so long as the present pernicious system remains unaltered? The power of veto will not be unreasonably applied, says the Viceroy, as if any Viceroy who exercised arbitrary powers in the past admitted that he was acting unreasonably. India's claim to be treated as an independent country stands unchallenged. This will never be fulfilled by a hasty acceptance of an Indianised Executive Council under the present constitution. Any stop-gap interim arrangement without real transfer of power is worse than useless at this stage and is nothing but a camouflage to mislead world opinion. We shall tolerate no compromise on the main political issue. The only way to achieve freedom is not to succumb to dishonest compromises which will strengthen the hold of imperialism but to unite all the nationalist forces in the country and to carry on a fearless struggle to achieve India's freedom.

What the Congress Working Committee will do I do not know. Whether it will liquidate itself and become a body representing a section of Caste-Hindus as apparently Mr Amery, Lord Wavell

and Mr Jinnah want it to do, or it will rekindle the flame of true nationalism is a matter which the Congress leaders will no doubt decide for themselves.

The members of the Working Committee have been released. This was long overdue. But thousands of other political prisoners will be held as hostages and their release will not be considered by the present Government. We demand the immediate release of all including those who have been detained in jail previous to 1942 and others like Mr Sarat Chandra Bose whom Government have not dared present before a court for open trial and have held in detention.

The Working Committee of the All-India Hindu Mahasabha will be summoned very shortly and I shall announce the date and time in a day or two. Meanwhile, I appeal to all Hindu Sabhas throughout India and indeed to all others who feel as we do to hold meetings and condemn this outrageous plan which is sought to be forced on India by the British Government. Further details as regards the manner in which we should demonstrate our disapproval will also be shortly announced.

10. Gandhi's Telegram to Wavell, 18 June 1945

CWMG, Vol. 80, 1945, pp. 345–46.

Panchgani
18 June 1945

Express
H.E. Viceroy
New Delhi

Grateful for your prompt frank and full reply. Also for directly inviting Maulana Saheb. Members being free at Conference to accept or reject proposals clears grounds for invitees to attend conference. This leaves them free discuss pros and cons at conference. My objection to inevitability of parity between Muslims and Caste Hindus stands. If that view incapable of being altered by British Government my advice Congress will be not to participate in formation Executive Council. Congress has never identified itself with Caste or non-Caste Hindus and never can even to gain independence which will be one-sided, untrue and suicidal. Congress to justify its existence for winning independence of India must remain for ever free to choose best men and women from all classes and I hope always will. That it has for sake of conciliating minorities chosen men to represent them though they have been less than best redounds to its credit but that can never be pleaded to justify or perpetuate distinction based on cast or creed. Hindu Mahasabha is the body claiming to represent solely Hindu interests. Subject to Working Committee's wishes I shall hope present myself Simla on 24th instant but owing to my strong views you can cancel the engagement without least offence. I expect this wire and reply if any will be published. Leaving for Poona Tuesday two p.m.

11. Gandhi's Interview to the Press, 18 June 1945

CWMG, Vol. 80, 1945, pp. 349–50.

Panchgani,
18 June 1945

Question: What did you mean when you said that the Desai Formula had no such colouring as the Viceroy's would seem to have, and how do you think that the Desai Formula would help to solve the communal tangle?

Answer: Bhulabhai's proposals have no colouring of caste. There is the 50 per cent basis as between two political bodies. If Bhulabhai's proposals are the same as the Viceroy's, then I am greatly mistaken. I did not read the proposals in that light. According to that Formula, if the Congress chose, it could appoint 50 per cent of any community, non-Hindus, Caste Hindus and non-Caste Hindus. If the Congress is obliged to choose only Caste Hindus or even casteless Hindus then it ceases to be Indian National Congress.

Asked if he was satisfied with the clarification offered by the Viceroy and the Secretary of State about the question of independence, he said that it was a question for the Working Committee to answer. He had his own opinion but he did not wish to anticipate or influence the Working Committee by speaking to the public.

Q. What is your opinion about Lord Wavell's personal efforts in solving the political deadlock?

A. No one will know unless Lord Wavell himself chooses to write as to what part he has played in this connection.

Q. What do you think about the omission of the Hindu Mahasabha?

A. I have not thought over it, but as you prompt me I begin to think. I do not know whether it is the method of putting the Congress in the place of the Hindu Mahasabha and treating it as a sectional or a Hindu body and if it is that, which I hope it is not, the Congress will be one to avoid the whole show. But there is another construction also to be put upon that omission, namely, that the British Government wants to avoid the conference being based on religious distinction and, therefore, for examining the proposal they have invited political representatives only. Against this favourable assumption has undoubtedly to be put the parity between Muslims and Caste Hindus. But I have publicly announced that I believed that this mistake, however grave, is one of ignorance. If my assumption is right, the mistake would be corrected. Thinking along the same lines I account for the omission of the Muslim Majlis or the Jamiat-ul-Ulema and similar bodies.

I must not also omit to mention that the composition of the conference is a very great advance upon all similar bodies, for, in all previous conferences convened by the British Government, members have been nominated by the Government principally. This time the members of the conference are under no obligation to the Government for their nomination and they need not vote or speak merely to placate the Government. The Congress Premiers, for instance, are under obligation only to the Congress as those belonging to the Muslim League are answerable only to the League. So far as I can recall there has been no such conference before.

Q. Why do you think the Maulana was omitted in the first instance?

A. Because the Viceroy thought that I represented the Congress and the people had given him cause to think so. But I must say the moment I pointed out the mistake he saw it at once and rectified it.

12. Sapru on Wavell Plan, 18 June 1945

Press interview by Tej Bahadur Sapru at Mussoorie, 18 June 1945.

GOI, Home Dept, File No. 97/45, also *Hindustan Times*, 19 June 1945.

Mussoorie, 18 June. 'I have read the broadcast speech of H.E. Lord Wavell and I must say my first impression of the speech is that it is excellent in temper and spirit. I sincerely hope and trust it may receive sympathetic response from those for whom it is meant.

The proposed change in the selection of members of the Executive Council with all portfolios transferred to Indian hands except Defence which will remain in the hands of the Commander-in-Chief during the interim period is one which requires very careful consideration. In my opinion although it does not technically amount to responsibility to the Legislature as the veto remains with the Viceroy, in actual practice, I think, if members of the new Government are agreed among themselves, the Government can well work as a National Government to all intents and purposes and there may be no occasion for exercise of the right of veto. Indeed I think when members of a Government are agreed on any important question of policy it is not very easy for a Viceroy to exercise the right of veto even though theoretically it may be vested in him.

I am glad Finance and Foreign Affairs are transferred to Indian hands and from a political point of view the appointment of a British High Commissioner in India will relieve the Viceroy of the responsibility for enforcing commercial safeguards to which so much exception has rightly been taken in India. The High Commissioner will have to negotiate about British interests with the Indian Government.

Altogether the position foreshadowed seems to me to be a substantial advance on the existing one. There is plenty of room for growth of salutary conventions under the Viceroy's scheme. The point of view from which I approach the whole question is not whether it gives us Dominion Status or independence today but whether what is contemplated by the Viceroy is likely to facilitate or expedite achievement of our main objective. I think it will, and therefore I would earnestly appeal to the leaders of different parties not to reject the proposals of Lord Wavell.

I am also glad Lord Wavell's proposals include restoration of constitutional Governments in provinces which have hitherto been ruled autocratically by Governors under Section 93 of the Government of India Act. Indeed my feeling is that the Viceroy's attitude in regard to Section 93 provinces might have been somewhat clearer and firmer so that the provinces might regain their constitutional freedom without any loss of time. Personally I have for a long time held that composite Governments in the provinces should be tried and I am glad that the Viceroy has suggested that skillfully without using any language of compulsion.

The principle of parity of communal representation which has been adopted by the Viceroy is one which I heartily approve notwithstanding the fact that I know that it has been strongly attacked by Hindus as being unjust to them and by a class of Muslims as being unreal.

Altogether the scheme suggested by the Viceroy is one full of promise and I should not like to attack it merely because it does not give us Dominion Status or independence immediately. The deadlock which has lasted these many years should not, in my opinion, be allowed to last a day longer. Old misunderstandings should be removed and people should be brought together on a common platform so that they may cooperate with each other in evolving a permanent constitution which may secure to us all full freedom and satisfy special needs and requirements of every class of people. We have too long suffered from the tyranny of disruptive forces and slogans which only tend to widen the gulf between the different sections of the people and make the task of reconciliation more difficult.

While I am prepared to welcome Lord Wavell's proposals I cannot help expressing my deep regret that this wise policy was not adopted by the Government in 1939 or even in 1942. But past regrets whether about our own conduct or about the conduct of the Government ought not to influence our decision for the future of our country, and if even now, we cannot rise superior to narrow sectional interests and allow ourselves to be overborne by our theoretical obsessions our future must indeed be very dark. Altogether I think we must rise to the occasion, and instead of creating any preliminary difficulties either on personal or party grounds, we must close up our ranks and not shirk responsibility. It is easy enough to say the proposals of the Viceroy do not give

us full power. It is more difficult to suggest any other way, which would be acceptable to all the parties including the British Government, of achieving that end. I think it is clearly our duty to seize the opportunity which has been offered to us now and use it as a stepping stone to our main objective.

The one thing which will strike most is that the Hindu Mahasabha has not been invited. If one communal body could be invited to the conference there is no reason why another should be ignored. Personally I am not a believer in communal bodies either Hindu or Muslim, but if there is going to be general settlement there should be no room left for grievance on these accounts.

Further, although Mahatma Gandhi's position as the acknowledged leader of the Congress is beyond question, it is noteworthy that official leaders of the Congress have not been invited. That I suppose can be, as indeed it should be, set right even now. The expression Caste Hindus has come into vogue in recent years. It is a most unfortunate expression, but I believe nothing more is meant by it than Hindus who do not belong to the Scheduled Castes. I do not think, the Viceroy has, however, used it in any sinister sense.

The conference must be called and given a chance to come to a settlement.'

13. CWC Instructions to Congressmen Attending Simla Conference, 21-22 June 1945

AICC Papers File No. 7/1945-II, NMML.

The Working Committee held at Bombay on 21st and 22nd June 1945 issued certain instructions for the guidance of Congressmen attending the Simla Conference. The relevant extracts are given here.

1. It must be clearly understood that the suggested arrangements are being considered on an interim and temporary basis only, especially in regard to communal parity. The principle of such parity is not acceptable. Also no such communal parity is applicable in the provinces and the present suggested arrangements relate to the Centre only.

2. While communal parity, in the limited and temporary sense as indicated above, is being agreed to, it must be clearly understood that this does not mean that all the Muslim members of the National Government will be nominated by the Muslim League. The Congress cannot recognise the sole right of such nomination by a communal organisation, nor can it reduce itself as a consequence to a limited communal field. The Congress therefore is of opinion that names may be proposed for Hindus, Muslims, Scheduled Classes, etc., by all groups in the Conference and to be adopted by the Conference as a whole.

3. While the Working Committee is anxious to help in finding a way out of the present deadlock which leads to Indian Freedom, and will work to that end, it must be remembered that any decision taken by it has to be confirmed and ratified by the AICC. The fact that the AICC and other Congress Committees are still banned is an obstacle in our way.

4. Further is the fact of large number of detenus and Congress Prisoners.

5. Clarification to be sought from the Viceroy or in the Conference in regard to:

- (i) External Affairs Department
- (ii) Financial implications of defence
- (iii) How far it is possible to give a nationalist character to the Indian Army without at present changing its status or organisation in any way. The Indian Army officers and men should have the same freedom of meeting people as the British army has in England. The present barriers isolating them to go.

- (iv) After the present war in South-East Asia is over it must be clearly understood that the Indian Government cannot support any policy aimed at the continuation of imperialist control of any of the countries of SE Asia, nor can it allow the use of Indian resources for the deprivation of freedom of any of these countries.
- (v) In regard to the Indian States, while recognizing that, during the interim period, the powers of the Crown Representative continue, it is clear that the National Government will have to deal with many matters which overlap and have concern with the States in regard to trade, industry, labour, etc., etc. The government may, when it considers this necessary, make suggestions and recommendations in regard to other State matters also to the Crown Representative. Further the barriers between the States Peoples, the Princes, and members of the National Government and their associates should be removed, so as to help in mutual discussions and consultations and the consideration of common problems, thus leading to the solution of these problems and even amalgamation with Federal India.
- (vi) Provincial coalitions would depend on the particular conditions of parties and groups in each particular province.
- (vii) The question of recruitment for higher services and the commitments in regard to foreign recruitments cannot be accepted, though the National Government will, whenever it considers it necessary, welcome and engage foreign experts.

The President will add to these matters requiring elucidation whenever he considers this necessary and give such other directions as may be required. He may also make such alterations as he considers necessary.

14. Opening Speech by the Viceroy at the Simla Conference, 25 June 1945

Indian Annual Register, 1945, Vol. I, pp. 1202-3.

Before we begin on the agenda of this Conference, the outcome of which will have a momentous influence on the destiny of India, I feel there are a few words I should say to you.

First, I welcome you all as men who by character and ability have risen to leadership in your provinces and parties. I have called you together from all parts of India, at this critical moment in her history, to advise and help me in advancing India towards prosperity, political freedom and greatness. I ask you to give me that help in a spirit of broad co-operation towards the good of India as a whole.

It is not a constitutional settlement, it is not a final solution of India's complex problems that is proposed. Nor does the plan in any way prejudice the final issue. But if it succeeds, I am sure it will pave the way towards a settlement and will bring it nearer.

The statesmanship, wisdom and goodwill of all of us here on trial, not merely in the eyes of India but before the world. I said in my broadcast that on all sides there was something to forgive and forget. We have got to rise above the level of old prejudices and enmities, and of party and sectional advantages and think of the good of India, the good of 400 million people and how best we can combine to implement these new proposals made by His Majesty's Government for the advancement of India, now and in the future.

It will not be easy, and unless we can place our deliberations at a high common level, we shall not succeed.

You must accept my leadership for the present. Until there is some agreed change in the constitution, I am responsible to His Majesty's government for the good and tranquility of India. I ask you to believe in me as a sincere friend of India. I will endeavour to guide the discussions of this conference in what I believe to be the best interests of this country.

On the column which stands in front of the Viceroy's House crowned by the Star of India are engraved these words: 'In Thought Faith, in Words Wisdom, in Deed Courage, in Life Service, so may India be Great.' They will make a good guide for our conference.

15. Jinnah on the League's Stand at the Simla Conference, 29 June 1945

Jamil-ud-din Ahmad, *Speeches and Writings of Mr Jinnah* (2nd edn Lahore 1964), *Statesman*, Delhi, 30 June 1945.

I want to give you a little background. First, the Muslim League passed its resolution in Delhi in March 1943, and we there formulated our demand. The demand was that we were always ready to consider any proposals or negotiate with any party on the basis of equality of representation on the provisional Central Government—at that time the party meant was the Congress—provided the British Government made a declaration guaranteeing to the Muslims the right of self-determination and undertaking to abide by the verdict of Muslims to give effect to the Pakistan scheme in accordance with the principles outlined in the Lahore resolution of the All-India Muslim League in 1940.

The Wavell proposals do not concede or accord with the declaration referred to. Both the Viceroy's broadcast and the announcement by the Secretary of State contain certain negative assurances.

The Secretary of State for India said as follows:

At the present juncture, this is only possible on an interim and provisional basis. It must be without prejudice to the ultimate constitutional settlement. The ideal to which we have always looked is that of an All-India Union in which the States would play their full part. At the same time we have also recognised the possibility that agreement between Hindus and Muslims on any form of Indian unity may be unattainable. Any interim advance, therefore, must in no way prejudice the question whether the ultimate settlement is based on a united or a divided India.

The Wavell proposals have for their basis laid down parity between Hindus other than the Scheduled castes and Muslims. We have no illusions about this parity, because on the Executive Council as proposed, the Muslim quota will not be more than one-third, and in the whole of the Executive Council, Mussalmans will be in a minority of one-third. Whereas the Hindus quota will be in parity with Mussalmans, there will be Scheduled caste representation, and Sikh representation and we do not know yet which other community or communities will secure representation, because the strength of the new Executive Council has yet to be determined. So is the case with regard to its composition which is yet to be determined.

Now as regards the Scheduled castes, their real grievance is of social tyranny and economic oppression in the Hindu society but with regard to political ideal or political goal, it is the same so far as the non-Scheduled castes are concerned. So, the representative or representatives of the Scheduled castes will not have any particular bias for us, although I repeat we have the fullest sympathy with them and we shall always be ready and willing to help them to improve their position socially and economically. Therefore, it follows that the Congress will on many important matters be safely entitled to count on their support.

As regards Sikh representation, they are already opposed to dividing India and their political ideal and goal are the same as those of the Congress. And so they are not likely to have any particular bias for us. As to any other community, I do not know yet.

Then there will be two British members, the Commander-in-Chief and the Viceroy. The composition of this Council will, therefore, be such as to enable the Congress invariably to command a majority.

I know the Viceroy's veto is there and I know that Mr Amery says that the veto will be exercised to protect minorities, but also I know that the Viceroy and the Governor-General will be placed in a very invidious position if he were to exercise the veto constantly and as a normal business.

The powers and functions of the proposed Executive Council are stated by Mr Amery as follows in presenting the White Paper in the House of Commons:

There is nothing in the proposals, if accepted, that will debar members of the Council from dealing with the whole problem of reconstruction entirely as they please. It will be for them to decide the industrial, agricultural and health policies and so on. It will be in their power, so far as British India is concerned, to decide who is to represent her as ministers in foreign capitals, and in which capitals India wishes to be represented. The proposals, if accepted impose no real barrier or check upon India's freedom to pursue her own course both at home and in the world.

Therefore, there is no adequate provision against the Congress forcing their decisions by a majority vote against the Muslim block. Therefore, we will have to consider how to provide against this position. We are willing to make full contribution to any just and reasonable settlement. The Congress have already claimed the right to choose a member or members from the Muslim block and some other party or parties may make similar claims. While we have every desire to find a solution and come to an agreement, this point namely that the Congress or any other body should be entitled to choose a Muslim from the Muslim block, is one which we cannot accept either on principle or on the facts as they are before us. Mussalmans desire honestly to come to a settlement and not play with facts. And I do not think it can possibly be denied that 99 per cent of the Mussalmans of India are with the League.

We have not lost a single by-election, except one—that was in the early days of 1937—out of about 70 by-elections. The total number of Muslim members in all the provincial legislatures and the Central Legislature is somewhere about 600 and out of them there are only about 30 who are Congressite Muslims and who happened to be in one or other provincial legislature.

I am told that in the Central Legislature, there is not a single Congressite Muslim from a Muslim electorate. There are two Muslims who have been returned by joint electorates. We maintain, therefore, that the Muslim League alone and nobody else is entitled to give the names for the entire Muslim block to the Viceroy. There cannot be unanimity in this world. I do not think you will find it anywhere in the world.

There are a handful of Muslims who are outside the League and there are Muslims who are in the Congress. But how many? I venture to say, at the most a few hundreds.

I think in one of the newspapers, when it was being argued that there are Muslims in the Congress, it said that one swallow does not make an Indian summer. Nor do a few hundred Muslims in the Congress make the Congress either a body representative of India as a whole or support its claim to have any voice in the selection of the members of the Muslim block.

I do hope that when the full scheme has been formulated, it will give us sufficient security so that it will be acceptable to the Muslim nation that we represent.



16. Muslims Dispute Jinnah's Claim

Telegrams to Maulana Azad

Hindustan Times, 3 July 1945.

Simla, 2 July. The following telegram has been sent to Maulana Azad, President of the Indian National Congress, by Mr Shamsuddin Ahmed, President, Nikhil Banga Krishak Proja Samiti, leader of the Krishak Proja Parliamentary Party and ex-Minister, Government of Bengal: 'Mr Jinnah's claim to speak as the sole representative of the Muslims of India as President of the Muslim League is fantastic. Defeated and discredited ex-Premier Nazimuddin has no right to represent the cause of the people of Bengal. Congress will forfeit the claim to represent itself as the only national political institution if it fails to speak on behalf of nationalist Muslims of India. May Congress rise to the height of the occasion at this critical hour in the nation's history.'

The Congress President has received the following telegram from Mirza Jaffar Hussain, general secretary. All India Shia Political Conference: 'In consultation with Mr Hoosainbhai Lalljee who is here I invite your attention to the rights and protection of Shias, an important minority community, and refer you to my letter of 10 October 1939, addressed to the then Congress President, Dr Rajendra Prasad, and his reply of 30 October 1939, wherein definite promise was given that rights of important minority communities like ourselves would be safeguarded and they would be consulted. None to represent Shia cause has yet been invited. Will you kindly let us know what is our position.'

Mr Khalil-ul-Rehman, general secretary, Bengal Provincial Momin Ansar Conference, in his telegram says: 'Five crore Momins do not subscribe to the League's policy. Mr Jinnah cannot speak for them. The Momin community claims representation in the interim government.'

17. Maulana Azad to Wavell, 7 July 1945

List of fifteen members given by Congress President.

N. Mansergh (ed.), *The Transfer of Power*, Vol. V, pp.1202-5.

Armsdell, Simla, 7 July 1945

Dear Lord Wavell,

On behalf of the Congress I am sending you a list of the names of the members of the proposed Executive Council, except for one name of a Sikh nominee, which I hope to send in a day or two.¹ This list consists of both Congressmen and non-Congressmen and contains names for the entire Executive Council. According to this, the Council will consist of 15 members apart from His Excellency the Viceroy and His Excellency the Commander-in-Chief. We have felt that this is desirable at the present in order to give representation to as many minority communities as possible. The Congress attaches special value to minority representation.

2. We have given a list of fifteen members and no more. My committee have endeavored to choose persons not for the honour the posts will give for the burden they will entail. We have considered the whole question of assuming this responsibility from the point of view of its being a step positively in the direction of the independence of India, and we have observed that the British Government also consider it as such a step. For us, as also, I hope, for you, Indian independence should involve the freedom of other nations hitherto under foreign rule and exploitation.

3. Regard being paid to the conditions prevailing in the country, an endeavour has been made to make the list as inclusive as possible.

4. We have added three names of the leaders of the All-India Muslim League but, of course, it is understood that the final choice in regard to these three names lies with the Muslim League. We have tried in the best way we can to contact the All-India Muslim League as such but have failed.

5. You will note too the list contains the name of the President of the Hindu Mahasabha. We have added his name without obtaining his previous permission.

6. It has given us particular pleasure to include in our list the name of a woman, a member of a well-known Christian family and a leader of the women's movement in India.

7. The qualification we have sought in each case has been the greatest ability available, the common factor being independence as the immediate objective after the defeat of Japan.

8. One of the names included in the list is that of a present member of the Executive Council. We are strongly of opinion that in order to start anew, the old members of the Executive Council should not be included, but the name given belongs to a new member who is not associated with the past policies.

9. My name has been included in the list, but, may I say, that it is only after the greatest hesitation and reluctance that I have agreed to my Committee's direction in this matter. My colleagues felt that I must accept this responsibility. What has finally weighed with me is the fact that the post is one of duty.

10. It has not been possible for us to consult all those whose names have been suggested. In the event of any of those suggested being unable to serve, I trust you will allow us to submit alternative names.

11. The Committee has tried to enter into the spirit of the proposals. They have recognized in you the leader of the Conference in the best sense of the word—a designation carefully chosen by yourself. As you are at liberty to draw attention to any discrepancy you may detect in the list or any difficulty His Majesty's Government may feel, I need hardly assure you that it will be my Committee's best endeavor to accommodate you or His Majesty's Government. It is my earnest wish that you will not put an undue strain on my Committee by imposing any alternation in the list which you as leader will finally prepare before submitting it to the Conference.

12. I have added some brief particulars about the names on the list hereto attached.

Yours sincerely,
A.K. Azad

¹ The name of Master Tara Singh, which is included on the enclosed list, was sent to Lord Wavell by Maulana Azad on 9 July 1945.

Enclosure

The List

1. Maulana Abul Kalam Azad
2. Pandit Jawaharlal Nehru
3. Sardar Vallabhbhai Patel
4. Dr Rajendra Prasad
5. Mr M.A. Jinnah
6. Nawabzada Liaquat Ali Khan
7. Nawab Mohammad Ismail Khan
8. Mr Asaf Ali
9. Dr Syama Prasad Mukerji
10. Rajkumari Amrit Kaur

11. Shri Muniswami Pillay
12. Shri Radhanath Das
13. Shri Gaganvehari L. Mehta
14. Sir Ardeshir Dalal
15. Master Tara Singh

A.K. Azad

Some Particulars About the Names on the List

Bengal	1. Maulana Abul Kalam Azad	President, Indian National Congress.
UP	2. Pandit Jawaharlal Nehru	Ex-President Congress; Member, Congress WC
Bombay	3. Sardar Vallabhbhai Patel	Ex-President Congress; Member, Congress WC
Bihar	4. Dr Rajendra Prasad	Ex-President Congress; Member, Congress WC
Bombay	5. Mr M.A. Jinnah	President, All-India Muslim League, MLA (Central).
UP	6. Nawabzada Liaquat Ali Khan	Secretary, All-India Muslim League, MLA (Central).
Delhi	7. Mr Asaf Ali	MLA (Central and Member, Congress Working committee, President, UP)
UP	8. Nawab Muhammad Ismail Khan	MLA (UP); Muslim League.
Bengal	9. Dr Syama Prasad Mukerji	President, Hindu Mahasabha; Ex-Vice-Chancellor, Calcutta University; Ex-Finance Minister; Bengal, MLA (Bengal)
Punjab	10. Rajkumari Amrit Kaur	Ex-President, All-India Women's Conference.
Madras	11. Shri Muniswami Pillay	Ex-Minister of Agriculture; Excise & Forests, Madras; Ex-President of Nilgiri District Board; Nominated Member of the Madras Legislative Council for 15 years; elected Member of the Madras Assembly in 1937; Vice-President, All-India Scheduled Classes League.
Bengal	12. Shri Radhanath Dass	Advocate High Court, Calcutta; MLA (Bengal); Councillor, Calcutta Corp.; Vice-President, All-India Scheduled Classes League.
Bombay	13. Shri Gaganvehari L. Mehta	Ex-President Federation of Indian Chambers of Commerce & Industries.
Bombay	14. Sir Ardeshir Dalal	Member for Planning and Development.
Punjab	15. Master Tara Singh	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> <div style="display: flex; align-items: center;"> <div style="margin-right: 5px;">Sind</div> <div style="margin-right: 5px;">Assam</div> <div style="margin-right: 5px;">Orissa</div> <div style="margin-right: 5px;">CP</div> <div style="margin-right: 5px;">NWFP</div> </div> <div style="font-size: 3em; margin: 0 10px;">}</div> <div>Nil</div> </div> </div>
Bombay	4	
Delhi		
Madras		
Bihar		
UP	3	
Punjab	2	



18. Jinnah to Wavell, 7 July 1945

Working Committee's decisions to choose Muslim members only by Muslim League and suggesting a meeting between Jinnah and Wavell.

N. Mansergh (ed.), *The Transfer of Power*, Vol. V, pp. 1205–7.

Cecil Hotel, Simla, 7 July 1945

Dear Lord Wavell,

I placed before my Working Committee the suggestions made by Your Excellency at the last meeting of the Conference¹ and communicated to me by your Private Secretary in his letter, dated the 29 June 1945.² The Working Committee after careful consideration desires me to convey to you their views which are:

1. With regard to your suggestion for submitting a panel of names of the members of the Muslim League for inclusion in the proposed Executive Council, the Working Committee desires to point out that when a similar proposal was made by Your Excellency's predecessor, Lord Linlithgow, in connection with his offer of August 1940, the Working Committee opposed it and when its objections were brought to the notice of Lord Linlithgow he dropped the proposal and suggested another alternative in his letter, dated the 25th September, 1940, addressed to the President of the All-India Muslim League, an extract from which is given below:

'I appreciate, however, the difficulties, which you made it clear to me confronted you in connection with the formulation of the panel which I had earlier suggested to you, and in the light of our discussion, I am content that the selection of representatives, while resting with the Governor-General, should be based in the case of the Muslim League (and should they so desire of the other parties to be represented in my Council) not on a panel formally submitted, but on confidential discussion between the Leader of the Party concerned and myself.'

This alternative was acceptable to the Muslim League. The Working Committee is of the opinion that the procedure settled on the previous occasion should be followed in the present case so far as the Muslim League is concerned.

2. Further the Working Committee is emphatically of the opinion that all Muslim Members of the proposed Executive Council should be chosen from the Muslim League, subject to a confidential discussion between Your Excellency and the President of the Muslim League, before they are finally recommended by you to the Crown for appointment.

The Working Committee feels very strongly on this point and regards it as one of the fundamental principles.

3. Besides the foregoing certain other points were also discussed in the Working Committee particularly the question of providing an effective safeguard against unfair decisions of the majority. While the Committee appreciated the remarks of the Secretary of State in the House of Commons³ that the power of veto be exercised by the Viceroy to protect the minority interests it was felt that some other effective safeguards would be necessary in the interest of smooth working of the interim arrangement. It was, however, thought that this question could be settled after the strength and the composition of the Executive was decided upon.

I have given in the above paragraphs the unanimous opinion of my Working Committee and I am ready and willing, if you so desire, to meet you and explain the reasons and grounds for the decisions arrived at by the Working Committee.

Yours sincerely
M.A. Jinnah

¹ Held on 29 June 1945.

² Ibid.

³ Held on 14 June 1945.

19. Wavell's Interview with M.A. Jinnah, 7 July 1945

Notes by Sir Evan Jenkins and Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1944–7, N. Mansergh (ed.), *The Transfer of Power*, Vol. V, pp.1207–8.

7 July 1945

5. I think you should see Jinnah tomorrow,¹ say at 3.30 p.m. and deal with him on the following lines:

(I) You should impress upon him the importance and gravity of the decision that he and you will have to take during the next few days. You are faced with incompatible claims by the Congress, the Muslim League and the Scheduled Castes. You clearly cannot meet any of these claims in full. You also have your own responsibilities to His Majesty's Government who have to be satisfied with any Executive Council you may propose that would have a real chance of success. You are most anxious to give a fair deal both to Muslims generally and to the Muslim League. But neither the Muslim League nor the Congress nor the Scheduled Castes can expect to have things all their own way. You might point out that the decisions taken by whatever Government is in power during the next two or three years about demobilization, post-war development, taxation, foreign trade and foreign relations generally will almost certainly have a permanent effect on the future of the country. Those decisions cannot be evaded. They have got to be taken by someone and if the Party Leaders do not cooperate now, they cannot fairly complain later that the results are unsatisfactory to them.

E.M. Jenkins

I spoke as you suggested in paragraph 5(1) and then asked if he was prepared to submit a list of names. For nearly 1½ hours he tried to pin me down to a commitment to accept no Muslims on the Council who were not Leagues, and stressed the difficulties of his position and of the Muslims. I finally had to ask him point blank whether he would submit names or not. He continued to fence but finally said he could not send in names unless I agreed to his condition; but in the latter and left himself a loophole by asking me to write in answer to his letter. He was obviously under great pressure, and said more than once I am at the end of my tether.

¹ See last sentence of the previous document.



20. Gandhi to Wavell, 8 July 1945

N. Mansergh (ed.), *The Transfer of Power*, Vol. V, p. 1209.

Manor Ville, Simla West, 8 July 1945

Dear Friend,

The Congress list for the proposed Executive was sent to you yesterday by the President.

1. In spite of my earnest protest the parity was preserved. I was sorry. This does not mean any change on my part. I am more than ever convinced that the non-Scheduled Hindu members should have been less than the Muslim.

2. You will observe in the list the nomination of the President of the Hindu Mahasabha. I think this was necessary and graceful. If you accept the Congress list, may I suggest your inviting Dr Syama Prasad Mukerji before the meeting of the 14th instant?

3. Dr Rajendra Prasad tells me that the hanging of Shri Mahendra Chowdhury is about to take place on or any day after 12th instant.¹ He is an inmate of Bhagalpur Central Jail, Bihar. I take it that you will order commutation of sentence or stay till the proposed Executive is able to deal with it.

Yours sincerely,
M.K. Gandhi

¹ Mahendra Chowdhury, condemned to death for acts of violence in Munghyr in the wake of the Quit India movement, was hanged in Bhagalpur Central Jail on 7 August 1945. See also Gandhiji's press statement of 11 August 1945 in *Collected Works of Mahatma Gandhi*, Vol. 81, p. 105.

21. Abdul Qaiyum on Selection of Muslim Nominees to Proposed Executive Council, 11 July 1945

Hindustan Times, 13 July 1945.

Lucknow, 11 July. Mr Abdul Qaiyum Khan MLA (Central) in an Interview to the Associated Press of India said that Mr Jinnah's alternative to Lord Wavell's Plan—that of the Congress accepting Pakistan as the basis of India's constitutional settlement and having another conference for tackling outstanding questions—was irrelevant as the scope for the present Simla conference previously agreed to by all political interests, was confined only to the interim period. But even if the Congress conceded this request of Mr Jinnah, Mr Qaiyum observed, renewed attempts at Congress-League unity on the basis of Pakistan would flounder again on the intransigence of the Muslim League as evidenced by the failure of the Gandhi-Jinnah talks at Bombay [September 1944].

Questioned about the so-called Liaquat-Desai pact Mr Qaiyum, said that this formula, providing representation on a basis of 40, 40 and 20 to the Congress, the League and the rest respectively was agreed to as the best possible measure to achieve parliamentary coalition at the Centre. Though the Nawabzada [Liaquat Ali Khan] was a party to this agreement, Mr Jinnah described it on the floor of the Assembly as a cock-and-bull story for reasons best known to him only. 'This mistaken policy of the League has landed us into a situation where a communal basis of representation is being thrust upon us for appointment to the proposed Executive Council of the Viceroy.'

Asked about the persistent disclaimer of Mr Jinnah about any such understanding, Mr Qaiyum said that Mr Bhulabhai Desai had all the relevant documents in his possession, and he hoped that they would be published.

Mr Qaiyum felt that the Congress, representing a great section of Indian Muslims, could not acquiesce into a position in which it could have been easily dubbed as a communal body. There lay the reason for its insistence on the right to appoint some Muslims to the Muslim quota in the Executive Council as well.

Mr Qaiyum suggested that the best possible solution was to leave the selection of the five Muslim members of the proposed Executive Council to the five Muslim Majority provinces. Any change in the complexion of any of the Provincial Governments would automatically lead to the replacement of the province's representative at the Centre by the nominee of the party in power. This would have ensured the largest possible Muslim majority in support of Muslim nominees to the Council.

Asked why the League did not accept this formula, Mr Qaiyum said, because the League knew that its strength was a phoney one. It could never succeed in achieving power in the NWFP or the Punjab. Similarly its position in Sind, Bengal and Assam was precarious. Its record in the provinces where it has been in power, was simply deplorable.

Dealing with the prospects of an interim Government being formed without the League, Mr Qaiyum said that the League tacticians would, in that eventuality, try to rally Muslim masses under their banner by shouting slogans. The cry would be raised that the Congress has conspired with the British Government to crush Indian Muslims. 'The bogey,' he concluded, 'will not prove very helpful.'

Interviewed by our Special Correspondent, Mr Qaiyum asserted that the League's totalitarian claim to be the sole representatives of Muslims was belied by its position in the NWFP, the Punjab, Assam, Bengal and even Sind where the shaky League Ministry owed its existence to Congress 'sufferance'.

He claimed that even a general election would not help the League vindicate this claim. Nepotism and corruption practiced by the League Ministry in the Frontier had so thoroughly damned the League in the eyes of the Pathans that there was hardly any chance for the League to come in power in the Frontier. In the Punjab, it was impossible for the League to smash the Unionist hold in rural constituencies. In Bengal, the Krishak Proja Party was going to be a serious rival of the League.

In general, he said, the attitude of Muslims in the majority provinces was different from the approach of the community in the minority provinces. The former did not suffer from the sense of insecurity and were on the other hand, keen to win the co-operation of the minorities.

If the Congress in other provinces behaved well he was sure the minorities would come round. The cry of separation in the minority areas was counsel of despair and would weaken them even more. He said: 'I feel that even greater concessions to the minorities are possible if the demand for separation is given up, for separation will not solve the problem. We shall have the same problem in the divided parts.'

If the British Government were at all honest, he observed they should set up an interim Government to be run by the Congress in co-operation with other Muslim parties. He was sure that if the League stayed out other Muslim parties like Khudai Khidmatgars, Unionists and Krishak Proja would step into the breach and work the Wavell Plan.



22. C. Rajagopalachari on Muslim League Demand

Press Interview, 11 July 1945.

Hindustan Times, 12 July 1945.

Simla: 'There are two important issues raised by Mr Jinnah. One is the Pakistan issue and the other the Muslim League's claim to exclusively represent all the Muslims in India. Both these issues are definitely to be left undecided and unprejudiced in making an interim settlement and forming an Executive Council to function until the war is over.

The Pakistan issue will be taken up for decision when the new constitution is considered. The League's claim to represent all Muslims can only be decided in favour of the League when it substantiates its claim at the coming elections. One can understand the League's demand for acceptance before the elections of its sole representation if the present strength in the legislatures warranted such a claim. As it stands, the claim is backed only by the august suppositions. It is therefore, not surprising that the British plan proceeds on the basis of parity on the two undecided issues. The Leaguers cannot claim to completely exclude non-League Muslims on any reasonable ground. These are the reasons why one cannot accept Mr Jinnah's arguments in his interview to the American Press.

The Wavell plan is clear as regards the restoration of popular governments in the provinces. There is no compulsion, but it is recommended that provincial ministries should have representatives of minority groups in the legislatures instead of being one-party governments. The Congress is not likely to raise any objection to this principle for the interim period when the matter comes up for consideration, if the League shows a spirit of accommodation in the disposal of the question of the centre.

It is now no secret that the Congress has asked its best men to take up the responsibility of working the Wavell plan. There is no room left for any suspicion or mental reservations. There is no section in the conference now that desires to keep away from the Plan, barring the Muslim League who have yet to decide their course. If the League's intransigence should once again prove to be a block it would be hard for it to justify its attitude before the world. The British Government have initiated the present conference with the express determination of not being battled by a mere want of agreement on reasonable proposals. It is open to Mr Jinnah now to play a great part positive and constructive, in the interests of India as a whole without losing or prejudicing the slightest item in his budget of claims. There can be no better opportunity and no better atmosphere than are available at present for a really satisfactory all-round interim settlement.'—API.

23. Tej Bahadur Sapru to Jagadish Prasad, 13 July 1945

Sapru Papers, Reel No. 4, NMML, 13 July 1945.

My dear Sir Jagadish Prasad,

Your letter of the 8th July reached me yesterday.

Today's (the 13th) papers show that the Conference at Simla is breaking up. His Excellency the Super-Viceroy (The Qaid-i-Azam) has overruled His Excellency the Viceroy and there the matter ends. I have never bothered myself about proportions, but what I cannot put up with is the tactics adopted by Jinnah. What he really means is that the British Government must coerce the Nationalist Muslims and other dissenting Muslims to join the Muslim League if they want to enter the legislature or any government. That is what virtually it comes to. Incidentally and this is important—it follows that if the Muslim League is the only body to represent Muslim opinion in

India, the Congress is a communal body. If the newspapers are to be believed the Viceroy should have kept four of Jinnah's men and given the fifth place to Khizir Hyat and not to Nationalist Muslims. This has not been accepted by Jinnah. Logically he is right because even if the fifth seat is given to a Muslim nominated by Khizir Hyat it means that the Muslim League is not the only body to represent the Muslim opinion. I do not know whether the Viceroy will declare the Conference to have ended in failure or will adjourn it and give further time to the combatants to think about it. The red-hot extremists among the Muslims will of course support Jinnah for they feel that Jinnah is really fighting for Pakistan, but there are many Muslims who feel very unhappy partly because they feel that Jinnah is ruining their chance of getting into the Executive Council and partly because they feel that Jinnah has alienated Lord Wavell and possibly some other English bureaucrats. On the other hand, as you say, there must be many diehards among the bureaucrats here and the Tories in England who must rejoice in the failure of the Conference. It remains to be seen what the attitude of the new Parliament will be. If there is the Labour-Liberal Coalition it is possible the attempt may be revived.¹ ...

Yours sincerely,
T.B. Sapru

¹ The rest of the letter deals with preparation of the Sapru Committee report.

24. Viceroy's Statement at the Simla Conference, 14 July 1945

Viceroy declared the failure of the Conference as his selection was not acceptable to Jinnah.

GOI, Home Dept, Poll(1) Branch, File No. 97/45-Poll (1), 1945, NAI.

I must give the Conference an account of what has happened since we adjourned on 29 June. As you know, my original intention was that the Conference should agree upon the strength and composition of the Executive Council, and that thereafter parties should send me lists of names. To these lists I would, if necessary, have added names of my own, and attempted to form on paper in Executive Council which might be acceptable to His Majesty's Government, myself, and the Conference. I intended to discuss my selections with the leaders, and finally to put them to the Conference.

2. Unfortunately, the Conference was unable to agree about the strength and composition of the Executive Council, and on 29 June I undertook, with the approval of the Conference, to endeavour to produce a solution not based on any formula agreed in advance. I asked the parties to let me have lists of names, and said I would do what I could to produce a solution acceptable to the leaders and to the Conference.

3. I received lists from all parties represented here except from the European Group, who decided not to send a list, and the Muslim League. I was, however, determined that the Conference should not fail until I had made every possible effort to bring it to a successful ending. I therefore made my provisional selections including certain Muslim League names, and I have every reason to believe that if these selections had been acceptable here, they would have been acceptable to His Majesty's Government.

4. My selections would, I think, have given a balanced and efficient Executive Council, whose composition would have been reasonably fair to all the parties. I did not find it possible, however, to accept the claims of any party in full. When I explained my solution to Mr Jinnah he told me that it was not acceptable to the Muslim League, and he was so decided that I felt it would be

useless to continue the discussions. In the circumstances I did not show my selections as a whole to Mr Jinnah, and there was no object in showing them to the other leaders.

5. The Conference has therefore failed. Nobody can regret this more than I do myself. I wish to make it clear that the responsibility for the failure is mine. The main idea underlying the Conference was mine. If it had succeeded, its success would have been attributed to me, and I cannot place the blame for its failure upon any of the parties. I ask the party leaders to accept this view, and to do all they can to ensure that there are no recriminations. It is of the utmost importance that this effort to secure agreement between the parties and communities should not result in a worsening of communal feeling. I ask you all to exercise the greatest possible restraint.

6. I have now to consider the next steps. I must remind you that, whatever happens, the first two of the three tasks mentioned in my broadcast—the prosecution of the war against Japan, and the carrying on of the administration and preparation for post-war development—must be performed by the Government of India for the time being in office. It will be my duty to see that these tasks are performed with the greatest energy that I can impose, and I cannot permit any hindrance to them.

7. I propose to take a little time to consider in what way I can best help India after the failure of the Conference. You can all help best by refraining from recriminations. The war against Japan must be carried on, and law and order must be maintained, and until I see my way more clearly than I do now, it may be difficult, perhaps impossible, to suggest any new move. No Government can carry on under the daily prospect of change or dissolution. I have to secure the stability and day-to-day efficiency of my Government, and it would be impossible to enter upon continuous or even frequent political discussions of this kind. Whatever decisions His Majesty's Government may take in the near future, must therefore, in all probability hold good for some little time.

8. I thank you all for the help you have given me, and for the restraint, patience and understanding which you have shown. Do not any of you be discouraged by this setback. We shall overcome our difficulties in the end. The future greatness of India is not in doubt.

25. Maulana Azad's Statement in Simla, 14 July 1945

Extracts from Press Report.

GOI, Home Dept, File No. 97/45-Poll (I), 1945, NAI.

After emphasising the national character of the Congress organisation Maulana Azad said that he attached considerable importance to the declaration that the provisional plan was intended as a preliminary step towards the achievement of the cherished goal of independence of India, and to facilitate and expedite its achievement. He had also made it plain to his Excellency that the Congress Working Committee wished to co-operate in every reasonable way with a view to resolving the present deadlock, and Congress leaders had accordingly, in spite of adverse circumstances, come to Simla to participate in the conference. Maulana Azad explained the various issues on which he had sought clarification from His Excellency and said: 'I can say that the replies received from the Viceroy were satisfactory.'

The Congress President said that so far as the present situation was concerned, if the new arrangement had been successfully reached the war against Japan would have become not Britain's war against Japan but India's war against Japan. There could not be two opinions as regards the question of liberating countries in South East Asia. It would be the duty of the new Government of India to carry on the war against Japan ceaselessly till those countries were liberated. But if it was the desire and intention of the powers that those countries should be restored to status quo then surely the new Indian Government would not be a party to it.

On the question of the Caste Hindu-Muslim parity which formed the basis of the new proposals, the Maulana said that he had impressed on his Excellency that in the constitution of the new government the criterion should be the political views held by parties and not religious belief. However, the thing was there. The Congress did not wish to attach undue importance to the fact of a few more Muslims being in the government or there being a few less Hindus. 'I raised all these issues at the conference itself and I must say the replies which his Excellency gave were, to my mind, reassuring.' The position taken up by Mr Jinnah was that the Muslim League alone should nominate Muslim members for the new Executive Council. The Congress found that such a position would be inconsistent with its basic national character. You must remember that as far as we are concerned, it is not merely a question of seats but one affecting a fundamental principle. 'We were prepared to accommodate the Muslim League but Mr Jinnah took up an uncompromising attitude.'

'Two points arise out of the present,' the President said. 'The first is that the attitude of the Muslim League has been responsible for the failure of the conference. The second point which emerges from the refusal of the Muslim League is that it was for Lord Wavell to decide whether to go forward or not. His Excellency has decided not to proceed for the present. Those who are prepared to go forward must be allowed to go forward and those who wish to be kept out should be left out. Without determination nothing could be done. Wavering minds and faltering steps will never carry us forward on the path of progress. We must think before we take a step. And once we decide, hesitation is no virtue but a sign of definite weakness. There is nothing new in this so-called communal problem. I have no regrets whatsoever for the Congress stand in this conference.'

26. Jinnah's Statement at Simla, 14 July 1945

Extracts from Press Report.

GOI, Home Dept, File No. 97/45-Poll (1), 1945, NAI.

Extracts from API report of Mr Jinnah's Statement (Simla, 14 July):

'On a final examination and the analysis of the Wavell's Plan, we found that it was a snare,' said Mr Jinnah at a Press Conference today. Mr Jinnah said: 'Next in the proposed executive we would be reduced to a minority of one-third. The Scheduled castes, Sikhs and Christians have the same goal as the Congress. They have their grievances as minorities, but their goal and ideology is and cannot be different from or otherwise than that of united India. Ethically and culturally they are very closely knitted to the Hindu society. In the actual working and practice, invariably their vote will be against us and there is no safeguard for us except the Viceroy's veto, which, it is well-known to any constitutionalist, cannot be exercised lightly as everyday business against majority decisions with regard to the policy and the principles that will have to be laid down and measures adopted both administrative and legislative. On top of this came the last straw on the camel's back that even if the five members of the Muslim bloc which were allotted to us community wise, which is the essence of the Wavell proposals, we were told that the Muslim League was not entitled to nominate all the Muslim representatives as our chosen spokesmen and there were two claimants—the Congress, which claimed two, and Glancy-Khizr on behalf of the Punjab claimed one. This move on the part of these two went at the very root and the very existence of the Muslim League regarding its position, character and status. But finally we broke as Lord Wavell insisted upon his having one non-Leaguer, a nominee of Malik Khizr Hyat Khan representing Punjab Muslims.'

'Our stand has been, and we have repeatedly made it clear to the British Government several times since 1940, that we cannot consider or enter into any provisional interim Government

unless declaration is made by the British Government guaranteeing the right of self-determination of Muslims and pledging that after the war, as so soon as it may be possible, the British Government would establish Pakistan having regard to the basic principles laid down in the Lahore resolution of the Muslim League passed in March 1940. This was condition No. 1 to our considering any provisional arrangement. Condition No. 2 was that we are not a minority but a nation and we can only enter into provisional arrangement, having regard to the necessities and exigencies of the moment created by the war and fully co-operate in the prosecution of the war and that in any arrangement we claimed equal number in the proposed executive. The Wavell proposals set at naught both these conditions and called upon us to make the severest sacrifice. If we accept this arrangement the Pakistan issue will be shelved and put in the cold storage indefinitely, whereas the Congress will have secured under this arrangement what they want, namely a clear road for their advance towards securing Hindu national independence of India, because the future Executive will work as a unitary Government of India and we know that this interim or provisional arrangement will have a way of settling down for an unlimited period and all the forces in the proposed Executive plus the known policy of the British Government and Lord Wavell's strong inclination for a United India would completely jeopardise us.'

27. Jawaharlal Nehru on the Breakdown of Simla Conference (‘A Clash of Outlooks’)

Interview to Press in Simla, 14 July 1945.

Selected Works of Jawaharlal Nehru, Vol. 14, pp. 40–5.

I am naturally disappointed that all these efforts should have ended in this way. But, being myself a somewhat hard-boiled politician, I am not terribly dejected about anything. What really distresses me is not just the result or want of result of this conference, but the background in which our problems are usually considered. They ultimately resolve themselves into some aspect of the communal problem.

Fundamentally, the communal problem as well as many other problems, if you analyse them, become a kind of conflict between medievalism and modernism, between the medieval outlook and the modern outlook. Obviously, it is not a question of a seat or a job here and there.

The Congress represents, more than any other group, the modern outlook, politically and economically, and if I may say so, nationally and internationally. The Muslim League, as any other communal organisation, inevitably represents not only the particular claims of a group, but represents them in a medieval context.

Politics considered in terms of religious communities is wholly inconsistent with both democracy and any modern conception of politics or economics. There lies the real rub. To give in to this medieval conception is to throw back the whole course of development in India, political and economic, and try to build a structure which does not fit in with the realities of today in any department of life. You can never ignore realities for long and if you try to do so, you do so at your peril.

This is the essence of the communal problem, so far as I am concerned, and not a question of services or jobs or anything else, and India will have to decide, if not today, either tomorrow or the day after, whether it is going to be a democratic modern country or an undemocratic medieval country. The latter choice is wholly ruled out because it just cannot be done by any country today.

The normal choice for countries today is not between medievalism and democracy, but what may be called just political democracy or something more, that is, economic democracy also, which means socialism in some form or other.

At the back of all these superficial conflicts, which are sometimes represented by individuals, are, of course, impersonal forces at work. Lord Wavell, for instance, occupies a leading position as the Viceroy and no doubt his personality counts. Gandhiji or the Congress President also occupies a leading position and what they may say or do, counts. So also Mr Jinnah. But, behind all these individuals are those impersonal forces which both control and push on these individuals. Lord Wavell ultimately must function within the limits of the British policy. Congressmen must function within the limits of Indian nationalism and Indian Independence. What Mr Jinnah's urges and initiatives are, I am not competent to say. So, it is not a question really of individual *bona fides* in the matter, but the conflict of impersonal forces, primarily the British power in India and Indian nationalism and, secondly, certain medieval urges in India in addition to various fear complexes and modern progressive tendencies.

Question: Is it your point that the basic British policy in India is to hang on to power at any cost, and that if there is a conflict, British policy must be in opposition to Indian nationalism?

Jawaharlal Nehru: There is a fundamental conflict between British imperialism and Indian nationalism, but circumstances and many new factors have changed this policy. I do think that the world situation, as it is today and as it will be tomorrow, is exercising a powerful pressure on British policy so that it might come to some terms with the Indian people. These terms the British would like to be as favourable as possible to British interests in India. This is natural, but I think they must realise that the old order in India cannot possibly continue, even though Mr Churchill would like it to continue.

Q: Are all Muslims medieval?

JN: I do not mean that the average member of the Muslim League is medieval. I think there are many progressive people in the Muslim League who, once the lid of medievalism is removed, will become political radicals.

It happens in the circumstances of today that certain questions have been made to cover up and obscure all the really important political and economic issues in the country. That happens sometimes.

What are the important issues, after all? The first issue in India is the agrarian problem. Allied to it is the industrial problem. You cannot solve the land problem without solving the industrial problem. They are locked and interlocked into each other. These are fundamental questions which apply to the Hindu and the Muslim alike. The misfortune is that they get covered up by certain complexes and prejudices, which, however superficial they may be, become formidable obstacles at the moment.

The so-called communal problem in India has no deep roots. By this I do not deny its importance at the present stage. It is very important, but it has nevertheless no deep roots and, therefore, I do not think that a solution of it will take a long time once it gets going. When the medieval lid is removed, immediately the real problems of the day will come up, and they affect both the Hindus and Muslims.

In the Islamic countries of the Middle East, where the Indian National Congress has made no propaganda, there is a better appreciation of the standpoint of the Congress because it fits in with their political ideals in spite of the natural sympathy that the people of those countries may feel for their co-religionists in India. The Turks, for instance, detest the conversion of politics into a chequer board of religion.

I invite foreign correspondents, in particular, to think what will happen if America, for instance, is divided into electoral constituencies for Catholics, Protestants, Methodists, Jews and various other Christian sects. You cannot imagine any democratic system based on such a thing. Yet, that is what is happening in India today. Inevitably you will have a situation in which each community with its separate electorates thinks in terms of its special group interests. If you have separate electorates in any country under the sun, you will have problems worse than the communal problem of India.

Q: Are Muslims a separate nation?

JN: I admit that the present circumstances may produce not a separate nation, but a group which is very anti-national. It may be considered a separate nation. Such a thing may develop. But the real thing is that today it is beside the point to talk about nations as such. The modern tendency is for the idea of a nation not to be confused with the idea of a state. The biggest countries today are multi-national.

If it pleases Mr Jinnah to consider himself as belonging to a separate nation, then the matter ends. He can call himself by that name. But it does not solve any problem. Even supposing there are two, three or four nations in India, the problem is how are they to get along together?

Q. Mr Jinnah stated to me categorically that his Pakistan will be cent per cent a modern and democratic state and there will be no restriction on ground of caste or creed or religion and everyone in Pakistan will be enjoying full and unrestricted citizenship.

JN: That is also the ideal of the Congress. If the two have the same goal why should not there be joint efforts made jointly?

Q: The Muslims fear a Hindu majority; how are the fears to be disarmed?

JN: You cannot disarm fear. It is a complex which may require psycho-analytical treatment. It is an odd thing that it has been said, by some prominent members of the Muslim League, including Mr Jinnah, that the Muslims are warriors and heroes and if the British rule had not been there they could have dominated others. On the other hand, they talk of fear of being dominated by the majority. It is absurd to talk of anyone dominating eighty or ninety millions of people. The whole idea is fantastic. My way of thinking is entirely different from Mr Jinnah's.

Q: Muslims do not fear Hindu might but Hindu votes.

JN: The vote is after all a feeble substitute for might. If eighty or ninety million Muslims do not fear Hindu might could they fear Hindu votes? Can Pakistan solve the communal problem? According to the League every Muslim is a Pakistani. Consequently, if Pakistan is established, every Muslim in Hindustan will be a foreigner as well be every Hindu in Pakistan. Hindus and Muslims are living mixedly in India's seven lakh villages. If Pakistan is established, it will worsen the communal problem, far from solving it. The Congress takes a rational stand and makes it clear that territorial and not communal sovereignty can be envisaged when India is independent.

Q: What is your reaction to the news that Lord Wavell had told Jinnah that he would include four Muslim Leaguers and one Unionist on the Executive Council?

JN: It is for Mr Jinnah and Lord Wavell to react to it. It is not my concern.

Q: What is the way out of the present deadlock?

JN: There may be many ways out of the present situation. Obviously one way out, which for the moment is not available, is for the third party to retire from the scene, either factually or theoretically. I mean there should be no question of the third party imposing its will, and other parties should realise that they have to face the issues themselves without that third party. Then they will face

realities and the consequences of the absence of a solution for the deadlock. Or, in the alternative—obviously, a very desirable alternative—other parties should pull together.

The other possible course really depends on the growth of almost overwhelming strength of one or more groups which pull together so that their influence may be felt by all the remaining groups.

Lastly, there might well be a complete collapse, owing to the deterioration of the economic situation, and that might lead partly to chaos and partly to revolt and revolution in various parts of the country. In spite of much money having been made at the top, India is fairly on the verge of collapse.

Q. Will the Indian National Congress, after India has turned out to be a modern democratic state, continue to function?

JN: I do not visualise that in its present form the Congress would survive. Its function is likely to come to an end as soon as Indian independence is won.

Q: Would you advise the Congress to demand a general election?

JN: The Congress is always for the election, but you should know that the Congress is still an illegal body. A large number of its members are still in jail and in the United Provinces, even now five Congressmen cannot meet together without hitting the Defence of India Rules. The election, if it comes when the normal situation is restored, will be always welcomed by the Congress.

28. Failure

Editorial, *Hindu*, 15 July 1945.

There will be a profound regret in the country that the Simla Congress after having excited great hopes should have failed. Lord Wavell has magnanimously taken upon himself the blame for the failure and asked all parties to avoid recriminations and to exercise restraints. Responsible leaders will no doubt see the propriety of the Counsel. But while recrimination is undesirable, a dispassionate attempt to analyse the factors that culminated in the failure might be of service to those who like the Viceroy, are anxious not to give up the search for a solution. It is in no spirit of carping criticism, but with profound sorrow, that we endorse the well-nigh universal verdict that the Muslim League's unbending and persistently negative attitude has been solely responsible for the breakdown of negotiations which started under the most favourable auspices. That the Congress on the other hand, has adopted a most conciliatory and constructive attitude throughout has been testified to even by those who have all along been hostile to it. The trouble was that, so far as Mr Jinnah and the League which he dominates were concerned, there was never the slightest sign of any readiness to make a fresh move which would involve a careful and objective re-examination of their own policy. And, while they were agreeable in taking part in the preliminary discussions, no more evidence was forthcoming that on previous occasion that the League or its leader desired to take the initiative in ending the deadlock or even appreciated Lord Wavell's decision when he announced that he proposed to make such a move himself.

When, in the early stages of the talks, it was reported that very rapid progress was made and that the agreement had been arrived at on the general principles enunciated by the Viceroy regarding the formation of an interim Government, there was a wave of pleasant surprise in the country. This however soon gave way to sharp disappointment when it was announced that there was no agreement forthcoming between the principle parties as to the personnel of the new government and the principles on which it was to be selected and the Viceroy had therefore decided to adjourn the conference to give time to the parties to submit separate lists from which

he could draw up his own list. When Mr Jinnah stated, on the morrow of this announcement, that he had really not agreed to anything and that the League executive had yet to examine the entire question of whether the League should take part in the interim Government at all, public disappointment not unnaturally grew into resentment at the manner in which the League leader was once again trying to score a tactical party victory to the detriment of national interests. How indefeasible is the League leader's position became clear when he tried to gain further advantage by seeming to discount the importance of the parity formula which has been universally recognised as a very big concession to a minority at the expense of the majority. Though the Muslims had been conceded parity with the Caste Hindus they would, he argued, still be in a minority in the Executive Council, since the representatives of the other minorities were likely to vote with the Hindus than with the Muslim on matters on which Hindus and Muslims might differ.

Mr Jinnah seemed to have forgotten that when in 1940 Lord Linlithgow made a proposal to expand the Executive Council including in it representatives of the Congress and the League as well as others, it was on the footing that, while the Congress and League should have equality of representation, the other minorities would be given an appreciable percentage of seats, in other words, that neither the Congress nor the League would have a majority in the Council. Mr Jinnah did not oppose this principle at that time, though he contended that if the Congress decided not to come in the League should be given a majority of seats and it should have a right in admitting the Congress if it should later wish to come in. If in 1940 Mr Jinnah did not think that the other minorities would always side with Congress, what has happened in the meanwhile to make him change his mind. Again, even the Desai-Liaquat agreement, spoke, so it has been reportedly stated, only of parity between the Congress and the League and not of parity between the League and all other parties and interests put together. What then was the justification of Mr Jinnah's taking up, at the end of the first stage of the Simla talks, the extraordinary position that the League must never be outvoted in the Council and the Viceroy would have to give satisfactory assurances that his veto would be so used that the League would be upheld whenever it felt that the Muslim interests were being endangered.

So much for the League leader's intransigence which, after all, is no new thing. But what surprises us is that the Viceroy, who must have had an inkling of Mr Jinnah's mind, should nevertheless have, in adjourning the Conference on 29 June, followed a course of action which strongly suggested that he would not be disposed to allow any party to adopt a purely obstructive attitude, only to give in at the last moment to Mr Jinnah's obstinate opposition. When Lord Wavell asked the different parties to submit the separate lists from which he would compile his own list on his own responsibility he should have known that the League's refusal to submit a list was more than a possibility. If his intention had all along been not to proceed with the business if the League should refuse to co-operate in this respect, he should have seen there was no point in adjourning the Conference and that it might be misleading the country to produce the impression that in the absence of agreement between the parties he would not give up the attempt to set up an interim Government but would proceed to form a new Council which would be, as far as possible, representative of all important sections of public opinion. If, as has been stated, Lord Wavell did draw up his own list and showed it to Mr Jinnah who could accept it, why he did not show the list to the Congress President as one would have expected him to do, especially after the latter has submitted his own list? In adjourning the Conference in June Lord Wavell had indicated that after he had drawn up a tentative list on the basis of the different lists submitted by the parties, he would discuss his own list with the various party leaders. That Mr Jinnah chose not to submit a list should have made no difference and this procedure should have been adhered to. But Lord Wavell has rather understandably chosen the course of consulting Mr Jinnah who would not even submit a

list while he has left the Congress in the dark as to what his own ideas on the subject of personnel suitable for an interim Government are. With the result that once again Mr Jinnah has been allowed to obstruct a settlement though he has always acted on the view that it is no part of his business to put forward alternative proposals as a basis for discussion or to undertake that he would agree to any settlement which had the backing of the bulk of the public opinion. The British Government instead of telling him that he would not be allowed to adopt a merely obstructive attitude and to delay a settlement indefinitely, apparently prefers to register yet another failure and to ask the country to rest content with vague hopes that a settlement would come about somehow in the not-too-distant future. Politics like Nature, abhors a vacuum. The matter clearly can not be left where it stands. Mr Jinnah's latest demand is, on the face of it, preposterous. He will agree to an interim Government only if the principle of Pakistan is accepted without further ado and 'the League was accorded equality of representation with all other parties in the new Government' or, in other words the League is made the ruler of India of course with British support. The British Government has a clear duty to impress on the League that it will not be allowed to hold up progress in India. Lord Wavell seems to have suggested that expediency counseled caution. He should remember that courage and wisdom are far more urgently called for at this moment.

29. The Breakdown

Editorial, *Hindustan Times*, 17 July 1945.

The Simla Conference has broken down and it does not serve any purpose to shed tears over it. Lord Wavell has to some extent disarmed his critics by taking upon himself the responsibility for failure. At the same time, he has not left the world in any doubt that his failure was solely due to Mr Jinnah's demands which he found impossible to accept. Mr Jinnah himself has made it clear that he went to Simla prepared, to wreck the conference. That the Muslim League alone should nominate all the Muslim councillors was only one of his demands. He has now charged the Congress, Lord Wavell, Mr Amery, and 'Glancy-Khizr' with entering into a plot against the League. At the same time he has progressed from his original position that the League will not submit to a Hindu majority at the Centre. 'All the other minorities,' he has declared, 'such as the Scheduled Castes, Sikhs and Christians, have the same goal as the Congress. They have their grievances as minorities, but their goal and ideology are and cannot be different from or otherwise than that of a United India. Ethnically and culturally, they are very closely knitted to Hindu society.' From this thesis, he proceeds to draw the conclusion that Muslims must be equal to all the others combined. The country must be thankful to Mr Jinnah for thus reducing his communalism to absurdity. It has now become evident that no agreement is possible with the Muslim League. To insist on it as a condition precedent to political advance would only be another way of refusing to part with power and blocking the road to peaceful political evolution. Maulana Abul Kalam Azad put the issue clearly in his review of the Simla Conference when he said: 'If the British government seriously intended to settle the issue, they should have foreseen and realised the communal and other difficulties and should have been prepared to meet them. They should not have given the right of veto to any particular group to hold up the progress of the country.' The wording of the India Office statement on the failure of the Conference suggests that this veto was given with full deliberation. It says that 'the Conference of leading politicians convened at Simla by the Viceroy of India with a view to the reconstruction of his Executive Council has failed to reach the requisite measure of agreement.' This is gross misrepresentation of the truth. Agreement was reached on the general principles on which reconstruction was to be based. But Mr Jinnah and the League

refused to proceed further and submit a panel without receiving assurances which were foreign to the plan as announced in parliament. The failure is that of the Viceroy and the British Government and not of the Indian leaders. If the British Government thought that Mr Jinnah's demand was reasonable, it should have given the assurances and called upon the others to accept or reject them. If the others refused, the Viceroy could have been asked to reconstruct the Council with the help of the Muslim League. On the other hand, if the British Government did not consider the demand reasonable, it should have told Lord Wavell to discard the League and proceed to form a new Government without it. If the situation is left as it is, it will not be long before suspicion that the Conference was only a dodge became a rooted conviction in the minds of the Indian people. Even the generous tributes of the Congress leaders to the sincerity of Lord Wavell will not prevent the growth of distrust in British intentions.

In his speech at the closing session of the Conference, the Viceroy hinted vaguely that the matter would be reviewed by the British Cabinet. He said: 'Whatever decisions His Majesty's Government may take in the near future must, therefore, in all probability hold good for some time.' If it means that the present police *raj* in many of the provinces and the wholly unrepresentative Government at the Centre are to be continued for a considerable time, we must warn the British Government that such a mistake would lead to tragic consequences. In his letter to Mr Jinnah dated July 9, Lord Wavell wrote that during the next two or three years decisions of great importance dealing with demobilisation, economic development, taxation, trade and other matters will have to be taken and that a Council commanding the confidence of major political parties was sought for that purpose. If the League's intransigence is considered a sufficient excuse for not forming a representative Government and if decisions on these vital matters are taken by the present Council, which is looked upon with utter distrust by all sections of the people, the authorities will be inviting trouble, confusion and corruption on a scale which will shock the whole civilised world. When the Allies can face the difficulties and find a solution acceptable to a majority of the people in Greece, Italy and Belgium, it would be rank hypocrisy to make the League's intransigence a pretext to ride roughshod over the aspirations of the people of India.

30. Maulana Azad on Breakdown, 20 July 1945

Tribune, 21 July 1945.

Calcutta, 20 July. At a Press conference at Calcutta, Maulana Abul Kalam Azad, Congress President, declared that if Lord Wavell had adopted a firm attitude, the Muslim League would have ultimately come in. But even if the League had stayed out, a representative and popular Government would have been formed at the Centre and worked successfully he added.

Proceeding Maulana Azad said if such a government had been formed at the Centre the admitted evils from which the country was now suffering—bribery, corruption and administrative—inefficiency would have been largely eradicated. If men at the top were incorruptible and enjoyed the confidence of the people, a great deal could have been achieved even with the existing machinery.

Maulana Azad said the Simla Conference had done one good thing in making the people believe that the British Government meant business, though the good effect of the Wavell offer had been partially neutralised by the manner the Conference ended, which tended to revive the old suspicion that the communal division was made a plea for holding up political progress of India. Lord Wavell had already stated that he could not accept the League's claim as justified: and if this was so the Maulana thought there was no justification for allowing the Conference to fail on account of an admittedly unreasonable demand of one party in spite of agreement of all other parties.

Replying to a question as to whether the Congress would join, 'if invited to participate in the present Executive Council.' Maulana Azad said the Congress could not accept it as they did not believe that much good would come of it. But if the whole Executive Council was reconstituted with the Congress co-operation, it would present a picture entirely different from the present position. The Congress could not enter the present Executive Council. It had to be changed wholesale in the spirit of the Wavell offer.

Referring to the release of political prisoners the Congress President said the question had been disturbing his mind ever since his release and he felt any delay in arriving at a satisfactory solution of the question was bound to lead to a deterioration of the situation.—UPI.

31. Responsibility for Failure

Editorial, *Tribune*, 24 July 1945.

Opinion is fairly unanimous in all dispassionate quarters that the responsibility for the failure of the Simla Conference to arrive at an agreed decision rests with only one man, and that man is Mr Jinnah. Among British public men we have already noticed the view of Lord Hailey, who, by his own admission, had always supported the Muslim claim, but who is constrained to observe that 'that claim has not been strengthened by the attitude of the Muslim League' in the present case, and of Mr Bevin, the left-wing leader of British Labour Party, who has frankly declared that 'the responsibility for the Simla breakdown rests primarily upon the Mohamedan representatives.' Mr Sorensen, than whom a more sincere or more indefatigable supporter of the cause of Indian freedom is not to be found in Britain, supported Bevin. 'The Muslim League policy at present,' he says, 'is apparently only an obstructionist policy.'

The large majority of leading British newspapers fully share the view of British public men. *Daily Sketch* says that 'the immediate cause of the failure of the negotiations ought to be laid at the door of Mr Jinnah.' *Daily Telegraph*, which treats Mr Jinnah gently, is nevertheless forced to admit that 'though the Viceroy laboured tirelessly to produce an accommodating spirit, Mr Jinnah would not agree even to submit a list of names, unless the exclusive right of the Muslim League to speak for the Muslims was accepted in advance.' It is interesting to observe that this claim is described by Margaret Pope, writing in the *New Leader*, as 'fantastic nonsense'. The same view is expressed in a different form of words by that important British newspaper, the *News Chronicle*. 'The responsibility for the failure of Simla,' writes the journal, 'was not Lord Wavell's. It was Mr Jinnah's and Mr Jinnah's alone.' The journal is equally frank in its condemnation of the Pakistan cry. 'Pakistan,' it writes, 'is a chimera. As a strict geographical or economic entity Muslim India has no existence. Muslim and Hindu India are mixed together, and any attempt at artificial separation would create endless hardships and difficulties. It is in fact an utter impossibility.' *The Daily Mail* tries to hold the scales even as between Mr Jinnah and Mahatma Gandhi and says that 'Mr Gandhi wrecked the Cripps proposals and Simla was Mr Jinnah's turn' and that 'as the leader of the Muslim League he duly wrecked the Wavell proposals.' That Mahatma Gandhi has no share in wrecking the Cripps proposals which were wrecked by their own authors by going back upon their original intentions, is now a well-established fact, but that takes nothing from the force of the Journal's indisputably correct condemnation of Mr Jinnah's attitude in the present case.

Even the *London Times*, the traditional supporter of all claims that militate against democracy and national freedom, is forced to make two significant admissions. 'There will be a natural disposition,' it writes, 'to place blame for the failure on Mr Jinnah and the League'—a disposition which it seeks to discount by adding that 'the attitude of Mr Jinnah and the League is due to their longstanding uneasiness for the fate of the Muslim community under any system of government

by an arithmetical majority.' As if this uneasiness had a more solid basis in the present case than the uneasiness of the Roman Catholics in England in the days preceding Catholic Emancipation for the fate of their community under any system of government by a Protestant majority. Another admission which *The Times* makes is that the Congress party, to whose accommodating spirit at the Simla Conference it pays a just tribute, would be more than human if they did not resent what must appear to them as a rejection of their pre-offered co-operation at the mere dictate of the League. 'They will be tempted to ask,' the journal writes, 'why the Viceroy, with nominees of all the parties save the Muslim League at his disposal, did not proceed to construct his new Government from material so representative'.

This is indeed, the question which not only the Congress Party, but the whole of non-League India has been asking ever since the Viceroy announced the breakdown of the Simla Conference. It was pointedly asked by the Congress President at a press conference in Calcutta on Friday last. 'If Lord Wavell,' he said, 'had adopted a firm attitude the Muslim League would have ultimately come in. But even if the League had stayed out, a representative and stable government would have been formed at the Centre and would have worked successfully. If such a Government had been formed at the Centre the admitted evils from which the country was now suffering bribery, corruption and administrative inefficiency would have been largely eradicated. If men at the top were incorruptible and enjoyed the confidence of the people, a great deal could be achieved even with the existing machinery.' We will not pause to ask the Congress President if this is not a sufficient ground for forming a popular government not only at the Centre, but in the provinces which are at present under bureaucratic rule, and if so, why he recently declared himself against the formation of Congress ministries in those provinces. That is a question for another day. Our present concern is to point out that the proposition laid down by Maulana Azad is incontestably sound. What makes the position of the Viceroy all the more indefensible in this case is his just refusal to accept the League's claim. 'If the claim was not justified,' said the Maulana with irresistible logic, 'what justification was there for allowing the Conference to fail' simply because the Muslim League was not prepared to abandon its unreasonable claim, especially when all other parties were prepared to go forward?

Is not Mr Rajagopalachari perfectly right in saying that the Conference failed because Viceroy and the British Government had not the courage of their convictions? 'If you do not have the courage of your convictions,' said Rajaji 'then it is better not to hold principles at all.' The net effect of the Viceroy's decision not to proceed with his self-imposed task was that he and the British Government did, in reality, concede Mr Jinnah's claim, which they declared in the same breath to be unsustainable, 'to the extent of making it effective in barring all progress.' He is not rejecting Mr Jinnah's wrong and unjustifiable claim, but accepting it with a vengeance. Mr Jinnah himself could not have desired anything more. He could not possibly have desired that an interim Government should actually be formed with equal representation for the Muslim League and the rest of the people of India against the declared wishes of the latter, if only because such a Government could not have worked for a day or an hour, even if it had by some chance been formed. The negative result that he has achieved was, therefore, the maximum that he could possibly have hoped to achieve.

From this point of view Lord Wavell, in spite of all that has been said about his sincerity and earnestness of purpose, must share in a full measure the responsibility for the actual breakdown of the Simla Conference. It was not in Mr Jinnah's power, strive as hard as he might to cause the Conference to fail. All that he could possibly do was to prevent it from arriving at an agreed decision. It was the Viceroy and the Viceroy alone who could cause the Conference to fail by taking up the position that he would not proceed with it on account of the unwillingness of a single

party to co-operate with him, even though all other parties might be willing to work with him. Unhappily for both the British Government and India this is exactly the position that the Viceroy took up. It had been expected by a good many persons in touch with the Conference that His Excellency would not take up this position. At one stage, indeed, the Viceroy had actually been reported unofficially, without either official confirmation or denial, to have said to Mr Jinnah that with or without him he would try to carry his proposals through. Whether the report was unfounded or His Excellency ultimately changed his mind we have no means of knowing. In the latter case the public will hold, as it did in the case of the Cripps mission, that the failure of the attempt was due to the intervention of the British Cabinet. One thing is certain. The *London Times* is obviously wrong in its assumption that if Lord Wavell had acted otherwise than he did 'an imposed settlement of such a kind would have violated the assurances accepted by the Conference as the basis of its terms of reference.' A settlement made with the active consent of all parties except one would not have been an imposed settlement in any accepted sense of the word. Nor was there anything in the terms of reference to the Conference to preclude such a settlement being reached. No conference, indeed, was worth holding if it was not to have the power to arrive at a settlement acceptable to all parties except one, and that one party representing only a section, however important, of one single element in the population even though that element happened to be the second largest in the country. We have a simple question to ask in this connection. If the Muslim League and the rest of the people of India adhere rigidly to their respective positions in future, is India for all time to be denied her birth-right of independence? If so, is it any wonder that large numbers of people in India should question the reality and sincerity of the British Government's professed desire to set India's feet on the path of independence? *KNR*.

32. The League's Intransigence

Editorial, *Bombay Chronicle*, 26 July 1945, on Breakdown.

That the Congress President went to the utmost limit of accommodation in satisfying the League is now clear from the latest news that he had even agreed to the inclusion of two able and suitable Nationalist Muslims who neither belonged to the Congress nor the League. It is true that he had made the proposal on his own responsibility. But if it was acceptable to the League it would certainly have been endorsed by the Working Committee. It is clear, even apart from the episode that the League's intransigence was limitless. The President's proposals meant that the Nationalist Muslims were to be jointly elected. The League could therefore have claimed by accepting the proposals to have elected all the Muslim seats. But the League was in no mood to listen to reason.

Numerous Muslims will now realise even more than they did before that by rejecting the most generous offer of the Congress the League has done a grievous disservice alike to the country and the Muslim Community. Mr Syed Badruddaza, MLA (Bengal) and Mr Jalaluddin Hashmey, Deputy Speaker, Bengal Assembly, remarked in a joint statement: 'Never before did the Congress rise to a greater height than on the present occasion. It was prepared to make any sacrifice even to the extent of conceding parity of representation between 23 crores of Caste Hindus and 9 crores of Muslims. Nothing could be more generous. But it is amazing that the Muslim League was not even prepared to recognise the claims of large masses of Muslims outside the Muslim League.... One thing has however emerged clearly out of the Leaders' Conference, that the Congress has shown not merely a generous spirit of accommodation to all parties and communities but also a statesman like and realistic approach to the problem that face India at the present moment, while the Muslim League has shown hectoring and obstructive attitude of negation.' Similar views have been expressed by many other Muslims leaders and we have no doubt that the news of the rejection

of President Azad's proposal in question will be received by many more Muslim leaders with deep resentment.

Contradicting Rajagopalachari's remark that Nawabzada Liaquat Ali went back on the agreement with Bhulabhai Desai on the question of parity and joined Mr Jinnah in his claim to nominate all the Muslim members for the Council the Nawabzada says: 'I never had any talk with Bhulabhai Desai or anyone else on the basis that anybody else than the Muslim League was entitled to nominate the Muslim quota in a Government formed under any arrangement.' Much useful light will be thrown on this and many other kindred points if the text of the Bhulabhai—Liaquat Pact is published.

33. Shielding the League

Editorial, *Leader*, 26 July 1945.

Little by little the story as to what happened behind the scenes at Simla is being revealed to the Public. To a press representative who asked him about it, Maulana Abul Kalam Azad said at Calcutta that, in order to overcome the opposition of the inclusion of two able and suitable Nationalist Muslims who belonged neither to the Congress nor to the League, he would not insist upon the inclusion of any Congress Muslim. The offer was made, the Congress President added, on his own responsibility, even without consulting the Working Committee. If the League had accepted the proposal, presumably the nomination of these two Nationalist Muslims would have been made by the Congress and the League in consultation. Mr Jinnah, evidently, did not even look at the proposal, as firstly, he wanted a previous guarantee about Pakistan from the Congress and the Government; secondly he wanted that the League should nominate all the Muslims; thirdly, he wanted parity not between caste Hindus and Muslims but between Muslims and all other parties combined and, fourthly, because he wanted the Muslim bloc to take the place of the Viceroy in vetoing decisions which it might consider detrimental to Muslim interests.

One amazing thing about Mr Jinnah's attitude to which attention cannot be drawn too often is that he thinks that it is the duty of others to placate him when he takes up one impossible position after another and that it is no part of his duty to make any effort to meet other objections. The principle of parity was conceded by Lord Wavell clearly under the impression that such large weightage would remove whatever fears he might otherwise have, about Congress or Hindu domination. But his only reply to the offer was to demand parity not with caste Hindus but parity with all others, Hindus and other minorities. If the Muslims who form less than 25 per cent of the population demand 50 per cent representation, what is there to prevent other minorities, the Scheduled castes, the Sikhs and the Indian Christians from claiming parity, if not with the Hindus, at least with the Muslims. Mr Jinnah's claim can be conceded only if the Muslims are to occupy a privileged position in the constitution, as against members of other communities simply because they are Muslims, a claim possible only if they become the undisputed rulers of this country.

Speaking at Masulipatam, Dr Pattabhi Sitaramayya, another member of the Congress Working Committee, said that the Viceroy told the Congress President in the early stages of the negotiation that no single party or leader would be allowed to torpedo the conference out of sheer willfulness. If the Viceroy had done so, or had created the impression among those who interviewed him that the plan would go forward provided there was a large measure of agreement, irrespective of the intransigence of any single party or leader, what happened subsequently was a complete reversal of policy. Dr Pattabhi also says that the conference failed not because of Mr Jinnah's obstructive policy but because, at this juncture, news came from England that Mr Jinnah was not to be displeased or antagonised. Mr Jinnah could not have wrecked the conference had the British Government

not placed a final veto in his hands. We have heard a great deal of the Viceroy's sincerity and his sense of chivalry in assuming sole responsibility for failure on himself. But the question is not one of chivalry or sincerity but the policy which the British Government are pursuing in making communal agreement impossible. And it looks as if the Viceroy, as the trusted agent of the British Government, was assuming the blame himself in order to shield the British Government and its creature, the Muslim League.

Chapter 6. Political Activities After Simla Conference

SECTION I: INTENSIFIED DEMAND FOR FREEDOM AND PARTITION

1. Cooperation Depends on the Removal of Obstacles to it: Azad

Maulana Abul Kalam Azad to Viceroy Wavell, 15 July 1945.

N. Mansergh (ed.), *Transfer of Power*, Vol. V, (London), pp. 1252–54.

Armsdell, Simla, 15 July 1945

Dear Lord Wavell,

After announcing the failure of the conference, you were good enough to ask for the support of all parties in ensuring a calm atmosphere. I do not propose to reiterate the Congress view about the failure. I expressed it sufficiently at the conference. But in fairness to you and to ourselves I must point out that cooperation inevitably depends on the removal of obstacles to it. Some of these obstacles are of a psychological nature with roots in the past relations between India and England. These can only gradually disappear with a change in those relations. But there are others of a more tangible kind which serve as constant irritants to our people and which affect our day to day activity. They are continually before us. In spite of this pre-occupation, however, we did not think it desirable to raise this matter, except perhaps rather vaguely in the course of conversations with you, as we were anxious not to place any difficulties in your path when you were dealing with a delicate situation.

2. But now that one chapter has ended and our minds, as well as yours, are turned to future possibilities of finding a way out, honourable to all concerned, and leading to the objective of Indian freedom, these obstacles to co-operation cannot be ignored. I am taking the liberty, therefore, of pointing them out to you in the hope that you will have early steps taken to have them removed.

3. The steps that I consider necessary and earnestly urge upon you are:

- (a) the bans on all Congress and allied organisations should be removed at once. It has not been possible to convene the AICC because of its being an illegal organisation;
- (b) all detenus should be released without any condition being imposed upon them, whether the detention was imposed by the Central Government or the Provincial Governments;
- (c) all restrictions on the movements of released detenus or prisoners should be removed;
- (d) cases of all prisoners convicted for political or like offences should be examined by a popular judicial tribunal and its verdict should be regarded as final by the Government;

- (e) extra-legal restrictions on the freedom of the Press or on the movement or association of people should be removed so as to make the people feel that they are free to follow normal activities under democratic conditions;
- (f) all pending sentences of hanging arising out of the disturbances of August 1942 should be commuted to life sentences;
- (g) all pending arrests of 'absconders' should be cancelled;
- (h) all prisoners who have served full fourteen years should be unconditionally discharged;
- (i) what has been said above about prisoners applies equally, and with even greater force, to properties, movable and immovable, and frozen or confiscated;

4. I have not endeavoured to argue out the justness of the foregoing requirements as I have no doubt that you will yourself appreciate the need for action along the lines indicated. If India is on the eve of having a bonafide national representative Executive, leading to independence after the defeat of Japan, then the necessity for this approach is self-proved and inevitable.

5. There is another matter to which I should like to refer. I need hardly say on behalf of the Congress that whatever the result of your promised effort the Congress is and has always been against the Japanese aggression. Therefore, there will always be on the part of the Congress a desire for the defeat of Japan in her designs upon China or any other aggression on her part. But the thought expressed in this paragraph will be incomplete if I did not inform you that, in the Congress estimation, the effort now being made on Indian soil will continue to be looked upon as a British and Allied effort, so long as there is not at the Centre a popular government assisted by provincial popular governments.

Yours sincerely,
A.K. Azad

2. Pattabhi Sitaramayya's Clarification About Andhra Circular

Pattabhi Sitaramayya in his reply to the GOI pamphlet, *Congress Responsibility For Disturbances*, pointed out that the Government intentionally misquoted the items mentioned in the circular, and that Gandhi had no knowledge about Andhra Circular issued on the letter-head of Andhra Provincial Congress Committee.

Leader, 27 July 1945.

What the press published was a summary of the speech at Bezwada and some inaccuracies have crept in them. Gandhiji, when he says in his aforesaid reply 'that it was a forbidden ground for him in as much as he knew nothing about it before his arrest,' was referring to the Andhra circular. He is quite correct. He had no knowledge of any such circular. The circular was not prepared with his knowledge or at his instance. He nevertheless has had the goodness to say that 'he considers the document to be harmless on the whole in view of the governing clause that the whole movement is based on non-violence. No act which contravenes these instructions should ever be undertaken. All acts of disobedience committed should be overt never covert (open but not under cover).'

This sentence which has been quoted forms *part of* an integral part of the original Andhra circular. Gandhiji has always maintained that no part of any civil disobedience movement or Satyagraha campaign should ever be done under cover or covertly. In 1932 when a certain measure of secrecy crept into the activities of the civil disobedience, and that was one reason for the withdrawal of civil disobedience as a mass movement, for secret movement he condemned and that secrecy and secret methods had gained currency in his absence. Gandhiji has also quoted

how the Andhra circular warned that 'no movement should be launched or any overt act done till Mahatmaji decides. After all, he may decide otherwise and you will be responsible for a great unwarranted mistake. Be ready, organise at once, be alert but by no means act.' Undoubtedly Gandhiji makes himself responsible for some of these items. I must also say that no programme had been discussed at any meeting of the Working Committee. Indeed there was a charge levelled against the Congress High Command that they had passed the Bombay resolution without so much as chalking out a programme beforehand. I have taken the responsibility for the circular because the responsibility is mine for having pieced together various items as a result of certain conversation that I had at an informal gathering in Wardha after the July meeting of the Working Committee was over in 1942.

That was a gathering at which hardly three members of the Working Committee were present including myself. At that gathering we discussed the relevancy of withholding or paying municipal taxes, zamindari rents, picketing toddy shops, boycotting of foreign goods, felling of toddy trees and wire-cutting. All excepting the last, that is, wire-cutting which too 'is not prohibited but not encouraged' have been part at one time or another of legitimate and authorized programmes of the civil disobedience movement and Gandhiji had repeatedly written that this movement would comprise a summation of all the activities that had been permitted in the past. He himself discussed, in answer to a question, the practicability or otherwise of wire-cutting being conceivably of a non-violent character, and at the same time, expressed grave doubts about its practicability. We, the provincial men in charge of affairs are the people competent to judge the practicability. We are the hands and the feet; and Gandhiji is the heart, head and spirit of the movement.

Then in regard to the report that has been made from Bezwada, there are certain points to be corrected. There it was stated that the Andhra circular was the Provincial Congress Committee's circular and that the meeting was of the Provincial Working Committee. It was not so. That report was wrong. I plainly said that I had requested the secretary of the Provincial Congress Committee to summon two representatives from each District Congress Committee to meet at Masulipatnam and the meeting happened to be at my house so that any programme contemplated at the meeting was not one attributable to the Provincial Congress committee or its Working Committee. If in the Andhra circular the words 'Andhra Provincial Congress Committee' occurred it was merely because they were the letter-head of the paper on which the items were drawn up.

Now let me come to the manner in which the summary has been handled by the authorities. The Madras Government stated recklessly and without regard for truth that the Andhra circular contemplated wire-cutting, the removal of the rails and stopping of trains and so on. As a matter of fact the very circular published by the Government as an appendix to the pamphlet, *Congress Responsibility for the Disturbances*, has fairly stated that no rails should be removed and there should no danger to life under any circumstances. Indeed Mr Amery contradicted the Madras Government press communique within less than a week and stated clearly in the House of Commons that the Andhra circular prohibited the removal of rails and warned against danger to life. But with little regard for truth or decency or public decorum, Sir Usman repeated the Madras communique word by word in the Central Council even after Mr Amery's correction. Then we happened to see the Government publication, *Congress Responsibility for the Disturbances*. In that pamphlet on page 20 it has been stated that a series of instructions definitely outlining the programme of the Civil Disobedience Movement were produced by the Andhra and Tamil Nadu Congress Committees with, it must be presumed, the approval of Dr Pattabhi Sitaramayya. It is not true to say that any circular was drawn up at the meeting or distributed. The meeting discussed certain points. That was all. The meeting was composed of, as already said, representatives of the District Congress Committees and it was not at all a meeting of the Working Committee or the Provincial Congress

Committee. The circular was an afterthought. It contained so many precautions and so many safeguards, that one wonders why the Madras Government was so indifferent to truth when they published a summary of that circular. But what is worse is that the pamphlet on Congress Disturbances states on page 20 that the prohibition on the removal of rails was later removed by another written amendment. The latter is not published. Nobody knows who signed it. No one can say whether there was such an amendment or not. No evidence was forthcoming in the aforesaid pamphlet, nor any later publication by the Government of India. There is ample evidence to show that no such amendment could have been issued by any responsible officer of the Provincial Congress Committee....

3. N.V. Gagdil's¹ Protest Against Police Excesses in Satara: 25 July 1945

Bombay Chronicle, 26 July 1945.

Arrests in Satara District under Section 129 of the Defence of India Rules have increased. In fact, they are a daily feature. The police lockups and taluka thanas are overcrowded and dirty. Prisoners are taken handcuffed and bound with strings even as they go to answer calls of nature. Villagers, individually, are called by petty police officials, taken away from villages and are beaten. Such complaints are numerous. The undertrials are not given decent food. In a word the treatment given to them is a disgrace.

On the 16th of this month, it is alleged, there was heavy beating of undertrials in presence of the DSP and other police officials in Satara Sub-Jail. In March last I issued a statement² about police excesses in Satara District. I brought to the notice of the public how raids were carried out and public was terrorized. In April a party of journalists which visited Satara District sent several dispatches detailing police excesses to the Press and they were published in Marathi papers.

In May, many changes were made in Satara administrative personnel. I believed that this would improve matters. I regret to say that situation has worsened in many respects. It is true that the present District Magistrate who is an Indian³ is prompt and is trying to do his best. Beating on mass scale he has stopped. Also many police officials are being prosecuted but this has not prevented police rank and file from doing things which are against law. The Viceroy's message 'to forgive and forget' has not reached Satara.

With a huge police personnel with martial law powers, Satara authorities have not been able to get hold of so-called absconders. On the other hand, they feel a sense of frustration and are losing mental balance. I ask them to reflect. Let them know we Indians are most interested in peace. They have created abnormal atmosphere. Congressmen alone will restore normal conditions. I suggest to them to remove the ban on Congress committees and public meetings and give a chance to Congress workers to establish contact with the people at large. Congress alone stands for non-violence and open activities. People ought to know official Congress activities and be allowed to pursue them. Police excesses have embittered the entire country side and I warn that People's Government which may not be long in the coming will forget nothing and forgive nothing.⁴

¹ President, Maharashtra Provincial Congress Committee.

² N.V. Gagdil's statement in March 1943.

³ A.L. Dias was the District Magistrate of Satara at that time. He became Governor of West Bengal in the 1970s.

⁴ The continuation of the Quit India Movement was in full swing in Satara during 1945. It was functioning like an underground government popularly known as 'Patri Sarkar' in Marathi and 'Parallel Government' in English. The word 'Patri' means bastinado and the word 'Sarkar' means government.



4. Labour Victory

Editorial, *Hindu*, 2 August 1945.

The Governors¹ Conference which is in session at Delhi is bound to take note of two facts. One is the universal disappointment at the failure of the Simla Conference which is all the keener because of the hopes that had been excited. Owing to the unfortunate manner in which the Conference was terminated, this disappointment, if not promptly handled, may breed even greater bitterness than before by rousing the suspicion that the Conference was just another device to pass time. The second fact that the Governors at Delhi should impress on the Viceroy and the British Government is that the Labour victory in Britain has been warily regarded by the Indian public whose attitude towards the new Government is not one of trustfulness so much as one of critical watchfulness. When Mr Churchill signed the Atlantic Charter one day and cynically repudiated its application to India the next day nobody was surprised; for blatant opportunism has been the only consistent policy of the Tories in such matters. But Labour, which has now been returned not only to office but also to power, has a splendid opportunity to make good its claim that it is loyal to certain well-defined principles, and the British public, by voting Labour, has ratified its approval of those principles. If a socialist Britain is now definitely within sight and if the new Government is, as Mr Attlee affirmed the other day, wedded to the policy of raising the standard of living of the masses not only in Britain but in all countries, he and his colleagues should see that socialism will be incompatible with the continuance of political domination and economic imperialism, especially so far as a big country like India, which is in every way fit for self-government, is concerned. No doubt the glamour of Empire is still a powerful factor to be reckoned with; many British socialists are not less medieval in their outlook on 'the brightest jewel in the British Crown' than Mr Churchill himself. But the younger generation, whose votes have given Labour such an enormous majority, has seen too much of the bloodshed and misery that land-lust and power-lust bring, to wish to desire to perpetuate the vicious circle. And the fact that in the new Parliament the trade-union elements are much less strong than the political wing of the Labour movement suggests that the short-sighted view that Britain must retain her political hold over India so that she may have a monopoly of the Indian market, may be much less widely held than used to be the case. But it may well prove that, in Labour as in other parties, the established leaders are more conservative and limited in their outlook than the bulk of their following; there is ample evidence that the revolutionary upsurge that has brought about their electoral triumph has surprised them almost as much as it has surprised their opponents. They may be, therefore, inclined to move more slowly than the bulk of progressive public opinion in Britain would approve in regard to an issue like India, unless the authorities in this country impress upon them the need for prompt and bold action to retrieve the Simla failure.

The Government would be making a grave mistake if it thought that symbolic gestures, like the abolition of the India Office or the appointment of a British High Commissioner in India, would suffice to keep India quiet while it attended to what it might consider more urgent matters on the home front. India is politically too old to be robbed off with such gewgaws. Nor will the policy of 'jam tomorrow' which the so-called National Government practiced with unblest consistency be any more acceptable because it is a Labour Government that pursues it. Mr Attlee, who is more noted for diplomatic correctness than for imagination, thought it necessary while the election results were pending, to make a laconic statement on Labour's attitude towards India which lent itself to the interpretation that Labour might be content to follow the Amery line servilely. Nothing, in fact, would be more unfortunate for the future of Indo-British relations. Labour, which insists that it is justified in enforcing at home, in the teeth of opposition by powerful

minorities and vested interests, its mildly socialist programme on the ground that it has received the mandate of the people, cannot properly take refuge in India behind the self-contradictory position that India must speak with one voice before Britain can act. If a Party for whom about twelve million votes were cast could override the opposition of another Party which secured nine million votes, and that too in regard to matters of fundamental importance, the former could hardly maintain with any pretence of fairness that in India its hands were tied because, while the bulk of the people asked for the freedom that Britain had conceded in principle, a certain section opposed all change except on its own terms. Mr Amery and his like used to talk as if the alternative posed to Britain was that she should coerce the recalcitrant minority. No responsible section of opinion in this country has invoked or is willing to ask for Britain's intervention in this manner in settling an issue which must ultimately be settled by the people of India among themselves. All that is asked of Britain is that she should determine her interest in India and as a guarantee of her bonafides stand aside and allow India to work out her own destiny. The first steps in this direction can easily be taken by the new Government without in any way prejudicing the future of India. Mr Brailsford,² writing on the morrow of the resounding Labour victory, pointed out that the Government should restore the popular Ministries forthwith in the Provinces, release all political prisoners and remove all obstacles to freedom of speech and association; in such a context, we would say, the abolition of the India Office would have real meaning. Let the Labour Government do this and ask Lord Wavell to take up once again the thread that was snapped at Simla; that would be a signal service to the British and the Indian people alike.

¹ The Conference of the Provincial Governors was held during 1–2 August 1945.

² Mr Brailsford—Labour MP.

5. C. Rajagopalachari's Plan for Formation of Indian Union,¹ 5 August 1945

Hindustan Times, 6 August 1945; GOI, Home Dept, Poll (I) Branch, File No. 97/45-Poll(I), 1945, NAI.

It is understandable why the new Labour Government of Britain may refrain from tackling the Indian problem for an interim solution but may start the machinery for a permanent solution of the constitutional issue for India. It will give them time and save them an immediate conflict with Mr Jinnah. I hope that this prognosis is not correct and that we may still have a decently representative interim Government of India in place of the present Executive Council and without waiting for long drawn-out discussions over a permanent constitution.

An early date for holding elections in all provinces we should welcome from every point of view. New Provincial Governments following these elections may create an atmosphere for a fresh attempt to reach an interim solution and it may be more successful than the Simla Conference, especially if the procedure I recommend, namely, one based on territorial units and representation of Provincial Governments, was to be followed.

With regard to the permanent solution, we may presume the Labour Government will follow the plan adumbrated in the declaration of 1942. I would suggest to the Labour Government an important modification of the original scheme. The Plan declared in 1942 is elastic enough, but it means provincial elections first, the election of a constitution-making body next through proportional representation of each Legislative Assembly and then the framing of a constitution by this constitution-making body. Thereafter each provincial legislature votes on the draft constitution as to whether the province accepts it or not.

The non-acceding provinces will be free to remain under the existing constitution or to form a new union with their own constitution. This is the Cripps plan. This means that provinces disinclined to join the Indian Union and following the party that demands separation would still take part in the discussion and in the making of the constitution. They would have two strings to their bow. While this may appear reasonable it is obvious that the drafting of the constitution without a clear and decided intention to join the Union would prolong discussions and maintain an air of unreality throughout the proceedings. We may have prolonged discussions and an agreed but unsatisfactory constitution and yet without gaining the end in view, namely, unity.

I suggest that the time-table and procedure should be modified as follows:

Let the provincial elections be held on any early date. Then let each provincial assembly vote on the issue of forming a Union. We may be sure that at least seven provinces will vote for forming an Indian Union. All provinces voting in this manner should proceed with the election of the members to the constitution-making body by the method of proportional representation and the body so formed should proceed to frame a constitution for the Union. We will thus have a homogeneous Constituent Assembly framing the constitution for an Indian Union. Those who vote for remaining outside would continue under the present constitution until they gain strength and unity among themselves to frame a separate Union and a separate constitution. It would be open to such provinces to revise their attitude at any time later and vote for joining the main Indian Union.

This modification of the time-table would result in several advantages. The proceedings of the constitution-making body would be marked by speed and co-ordinated intention. Provinces would think several times before voting to remain out. It will enable a thoroughly satisfactory constitution being framed in the first instance. The other plan would lead to a series of checks and balances being proposed which would weaken the Centre most certainly, and yet the object of it all would probably remain unrealised, namely, accession of the Muslim League provinces.

The plan I propose would have an advantage over the time-table contained in the 1942 declaration. In view of repeated declarations of the Muslim League the British Government should consider whether the original time table should not be modified as I have proposed. The provinces that vote for League leadership would be compelled to make their choice with positive obligation instead of merely acting as a brake.

¹ In reply to Stafford Cripps' press interview (4 August 1945) in London suggesting that the Labour Government would now rather go ahead with a permanent solution of the Indian constitutional question than try an interim settlement, C. Rajagopalachari came out with a new plan. The plan was only a slight modification in the procedure laid down in the Cripps Proposals in regard to the formation of the constitution-making body.

6. Jinnah Urges Permanent Settlement

Jinnah's address to a meeting convened to present a purse to him, Bombay, 6 August 1945.

GOI, Home Dept, Poll(I) Br., File No. 97/45-Poll (I), 1945, NAI.

Bombay, August 6. The view that India should now strive for a final constitutional settlement rather than grouping for an interim agreement now that the war in Europe is over and the war against Japan is drawing to a close, is expressed by Mr M.A. Jinnah, President of the All-India Muslim League, addressed a meeting convened to present a purse to Mr Jinnah.

Mr Jinnah analysed the Simla Conference and said: 'the first question is why did Mr Gandhi as one of the leaders of the recognized parties go to Simla? Having gone there, why did Mr Gandhi not attend the Conference? The reason is simple. It is to play the role of a wire-puller.'

‘He was not merely content with being an adviser of the Congress and its Working Committee, but he constituted himself as an adviser of the Viceroy and through him the British nation. Mornings and evenings, the Working Committee meetings took place and he was the guiding spirit behind. When it suits him, he represents nobody—he can talk in individual capacity; he is not even a four-anna member of the Congress; he undertakes fast to decide the political issue; he reduced himself to zero and consults his inner voice; yet, when it suits him, he is the supreme dictator of the Congress. He thinks he represents whole of India.’

‘Mr Gandhi is an enigma.... How can we come to a settlement with him. There was so much venom and bitterness against the Muslims and Muslim League that the Congress were prepared to go to any length with two objectives, first, to hammer down, humiliate and discourage the Muslim League and every method was adopted to bully us, coerce us and to threaten us to surrender; the second, was to see that the Muslim League was ignored and by-passed and for that purpose, they stooped to the lowest point and threw up their principles to the winds.’

‘The Congress leaders, who championed “Quit India” and “Complete Independence” but they came to Simla defeated, frustrated and scared and threw themselves at the feet of Lord Wavell to secure certain portfolios, because there was no question of self-government within the framework of the present constitution. In order to be on the right side of Lord Wavell, they first tried to beat down and humiliate the Muslim League and second, so work him up as to get him to by-pass the League through a short-sighted and miscalculated policy adopted at Simla, which was a complete failure. Now, they accuse Lord Wavell of breach of faith and allege that he had given an assurance to ignore and by-pass the League. I don’t believe it. Even if he wanted it, he could not have done it.’

‘There are only two major parties in this country, and Lord Wavell’s broadcast was the very conception of it. Invitations issued to Mr Gandhi and myself were on the basis that Mr Gandhi was the recognized leader of one of the parties and myself the leader of the other. The British called them parties, but in fact they are two major nations. There is no doubt that other minorities must be assured of safeguards, but that is not the case with the ten crores of Muslims who happen to be a majority in the North-Western and Northern-Eastern zones where they want to establish Pakistan. Because the British turned down the Congress proposals at Simla they accuse the British Government of having given me the veto. These people do not know the meaning of veto. The proposal was for an Interim Government under the present constitution. I have already given my reasons that it was unjust and unreasonable. Congress cannot expect us to agree to what they want, however detrimental to our interest they may be. What does the Congress want? They want to establish a Hindu Raj. But the League wished Hindustan God-speed and freedom for Hindustan. At the same time we want to establish Pakistan in two zones where we are in a majority. Unless Mr Gandhi and Congress give up their dreams of establishing Hindu Raj and by hook or crook bringing the Muslims into it, for which they have been determinedly working, they cannot expect us to transfer ourselves from the British Government to a Hindu Raj.

‘People say the [Simla] conference was a failure. I would say the conference is wound up for all time. Since 1940 because of war we offered our hand of co-operation to Britain for defence and prosecution of war. We did not want any aggression either from Hitler or from the Mikado. In our own interest, therefore, we were ready to co-operate. For what would we have gained otherwise? Our homes and hearths would have been bombarded both in North-Eastern and North-Western zones where Muslims are in a majority. Had Hitler succeeded we would have been thrown from the frying pan to the fire; therefore, it was a war emergency which called for an interim settlement for the successful prosecution of the war. When Lord Wavell went to England the war in Europe had not finished. But now remember the war in Europe is over, and the war in the Far East is

almost coming to an end. Japan is concentrating in her own homelands hundreds of miles away. There is no use of talking of interim settlements now.

‘Let us go ahead with measures for a permanent constitutional settlement. Pakistan must be decided if the issue of freedom and Independence of India is to be decided. We will never surrender the issue of Pakistan to anybody as our claim is a just and righteous one and is the only solution for India.

‘We want to fight the elections so that they may once for all convince those who doubt our representative character. If you organise properly, with the support of the people, we will sweep the polls. The name of the League is resounding in the whole world and Muslims have now awakened to a new consciousness of nationhood. If the conference had succeeded in by-passing the Muslim League, I would not have asked you for money to fight the elections, but more than that, I would have asked you for complete sacrifice for the realisation of our goal of Pakistan.’—API.

7. Non-Party Leaders’ Plea for Representative Government

Statement issued by M.R. Jayakar and Jagadish Prasad, Poona, 8 August 1945.

GOI, Home Dept, Poll (I) Branch, File No. 97/45-Poll (I), 1945, NAI; *Leader*, 10 August 1945.

There is again danger that the Congress and the Government may drift into collision. We venture, therefore, to put forward certain suggestions in the hope that they may help to avert it. We would make an earnest appeal to Congress leaders to continue to exercise patience and restraint and not precipitate matters. They should give the Viceroy and the Labour Government a reasonable chance to review the whole situation consequent on the breakdown of Simla Conference. It is a plain secret that, in some influential quarters, the Viceroy’s initiative in meeting Congress leaders and attempting to form a government at the Centre with their help and co-operation was viewed with misgivings and the failure of his efforts brought distinct relief.

Mr M.A. Jinnah, on his part, has missed no opportunity to malign the Congress and his lieutenants now threaten dire consequences if governments are formed without his imprimatur. Most of the Viceroy’s advisers in the provinces and in Delhi still distrust the Congress and are grateful to Mr Jinnah. They feel that to throw overboard such a proved ally for new friends of doubtful fidelity would be a great blunder. The Viceroy, is, therefore, in a singularly lonely and difficult position and every effort should be made not to increase his difficulties.

It is, however, equally important that he should appreciate the embarrassing difficulties of the Congress leaders who, though themselves free now, find their organisation still under the ban and many of their colleagues still in detention. The Viceroy has met the Congress leaders and is, therefore, in a better position to understand their point of view than most of the Governors, who only know them through police reports. These personal contacts have done much to promote mutual understanding and goodwill. But, this friendly understanding is likely to vanish through excessive caution and delay on the part of the Viceroy as much as by rash and precipitate action on the part of the Congress. If the ban on the Congress is not lifted immediately on the ground, for instance, that further consultations with provincial authorities are necessary, there will be widespread belief that the recent conference of Governors in New Delhi has led the Viceroy to waver in his good intentions. There will again be a challenging of motives, suspicion will raise its head, threats of direct action may follow and the melancholy story of present years may be repeated. This has to be averted at any cost.

There is another danger to which we wish to draw pointed attention. It is suggested, even in influential quarters, that the present arrangements in the provinces and at the Centre may be continued until a permanent constitution is framed. It is said that the war is coming to an end and the need for increased war effort through the agency of a National Government does no longer exist. In this connection, the country is entitled to get straight answers to certain straight questions. Is it that the Section 93 rule over more than 200 million people should continue? Will the composition of the Central Government remain, as at present, with three of the most important portfolios in the hands of non-Indians and the remaining in the hands of persons whom the Viceroy himself was anxious to replace? Is it believed that the present Government of India can deal adequately with the vast economic problems of post-war readjustments when, among other things, nearly five million men, engaged in war work of one kind or another, will have to be adequately provided for after demobilisation? Is the permanent constitution to be framed by discussion and eventual agreement? If so, how many months and years of discussion and consideration will have to precede His Majesty's Government's decision? It must be remembered that the Indian Round Table Conference, of 1930—a comparatively smaller affair—took four years.

The continuance, therefore, of an unrepresentative Government at the Centre and autocratic rule in Section 93 provinces for a further indefinite period can only be regarded with the greatest dismay.

It is, therefore, the plain duty of the Viceroy to proceed without delay to form Governments at the Centre and in the Section 93 provinces with the help of such elements in the national life of India as are willing to serve and co-operate. His Majesty's Government and the Viceroy cannot afford to be deterred from this duty by political bravado.

8. Azad on Abdul Ghaffar Khan's Arrest

Tribune, 8 August 1945.

In an interview to the Associated Press in connection with the arrest of Khan Abdul Ghaffar Khan and the treatment subsequently meted out to him by the police, the Congress President, Maulana Azad, pooh-poohed the statement of the Punjab Premier that the Khan had not been arrested. Khan Abdul Ghaffar Khan, he said, was stopped by a police officer at the frontier of the Punjab and when he tried to move forward, he was prevented from doing so by a cordon of policemen formed round him. Subsequently he was told by a police officer that he was under arrest. 'I do not know,' said the Congress President, 'what other meaning the word arrest can have? Whatever name the Punjab Premier may give to this event, it is not the name but the fact that matters.'

'It is obvious,' he said, 'that the Congress has not been sponsoring any movement for some time. Circumstances have now entirely changed. The Congress Party has resumed office in the Frontier Province and is guarding rather than violating the law. In these circumstances an apprehension of breach of the peace on the arrival of Khan Abdul Ghaffar Khan is nothing but highly nonsensical. Even if the district authorities had entertained the belief that the visit of Khan Abdul Ghaffar Khan to the district would lead to a breach of the peace, their apprehension should have been removed by the letter that the Khan sent to the District Magistrate in reply to the notice served on him. In his letter he had assured the authorities that he had no mind to address public meetings in the district and that he only wanted to see his friends while on his way to the Hazara district. This categorical assurance had no effect on them; and Khan Abdul Ghaffar Khan was not only arrested but put to a humiliating treatment for which even the Punjab Premier will not find any justification or warrant. The fact that the Punjab Government had not been at all consulted by

the Attock District Magistrate prior to the arrest of Khan Abdul Ghaffar Khan, does not absolve it of its responsibility in the matter. As we said recently this is a case of bureaucratic bungling, and the public wants to know definitely what steps the Government proposes to take to make the recurrence of such incidents in future impossible and what action it has taken against those who have been responsible for this bungling and for having placed it in an awkward situation.' The Congress President also issued a general warning to the Punjab and other Governments in India. 'I want to make one thing clear,' he said, 'whatever the Government, whether provincial or central, it must know that there is a limit to everything. Let us hope that the authorities, whether in the province or elsewhere, will not provoke the Congress or its leaders by unnecessarily interfering with their activities and movements.'

9. Third Anniversary of the Arrest of Congress Leaders (9 August) Observed in Bombay

Extracts from the *Bombay Province Weekly*, 8 August 1945.

Government of Bombay, HB(Spl.) File No. PS III (Poll) 1945-46, Extracts from 'Central Intelligence Department Weekly', Bombay, Bombay State Archives.

In accordance with instructions issued by the Congress President, Congressmen in Bombay observed '9 August' by holding flag salutations in the morning and meetings in private places in the evening.

Although 'hartals' were not mentioned in the programme, the local Cloth Markets, Stock Exchange, Bullion Exchange, Cotton Exchange and other Indian Bazars in the City were closed. 20 Textile Mills together with 8 Silk Mills and 8 other Factories also remained closed. An attempt which was made by the workers of Kamala Mill to bring out the workers of Srinivas Mill on Detisle Road by throwing stones was frustrated by the timely arrival of the Police and the Mill continued to work the whole day. An appeal was issued by the General Secretary, Bombay Students' Union (Communist Group) to observe a complete and peaceful 'hartal' and attendance in most of the Colleges and High Schools were very meagre while the Municipal Schools observed a holiday. Five students, including two girls, who tried to cordon off the entrance of the General Education Society School at Dadar and who refused to move, were removed to the Police Station. They were discharged with a warning in the evening.

2. The main flag salutation ceremony was held in the compound of Pannalal Terraces on Grand Road, where Mr Vallabhbhai J. Patel unfurled the Congress flag in the presence of about 3,000 persons including local Congress leaders. He stated that the Congress leaders would not rest till Congressmen in jails were set free and the ban on the Congress was lifted. The Congress, he said, had resolved to implement with every drop of its blood the AICC resolution. In the evening, Mr Nagindas T. Master presided over a meeting held in the compound of the Pannalal Terraces. Mr Vallabhbhai J. Patel addressed the audience which consisted of about 7,000 persons, including leading Congressmen and women and about 200 Congress volunteers. He jeered at the Viceroy's advice to 'forget and forgive' and cited the instance of the execution in Bihar of Mahendra Chowdhary. He again referred to the AICC resolution of 8th August and said that Congress would not alter a comma of that resolution, in any circumstances. Acharya Kripalani addressed a meeting held by the Nationalist Christian Party and the Freedom Group at the hall of the Indian Merchants Chamber. About 300 persons attended. The Communist Party of India also held a meeting at the Marwadi Vidyalaya Hall, Sandhurst Road, under the presidentship of

Dr G.D. Adhikari. About 300 persons attended. Other celebrations in the different Wards were of an unimportant nature and the day passed off without any untoward incidents.

Kolaba:

About 20 persons, including about 15 children, took out a procession of the Chowk village, in Karjat Taluka. The Police asked the processionists to disperse and on their refusal to do so, five leaders were arrested under 56(4) of the Defence of India Rules as previous permission of the D.M. was not obtained to take out the procession. Processionists were singing 'Vande Mataram' and other national songs and were shouting slogans such as 'Mahatmaji Ki Jai'.

10. The Ninth of August, a Warning and a Reminder

Editorial, *Free Press Journal* (Bombay), 9 August 1945.

The Ninth of August is a dedicated day in the history of the National Movement.

On that day, three years ago, the imperial Government decided to try conclusion with the Indian National Congress.

The provocation was the decision of the All-India Congress Committee on 8 August, 1942 to sanction an 'open rebellion'.

The words have been variously construed, to Government and to their propagandists the 'open rebellion' was nothing less than flagrant revolt.

In the context in which they were used, however, 'open rebellion' were words which meant something entirely different. Gandhiji asked every Indian to regard himself as no longer under the imperial heel. This was a declaration of Independence. It was open in the sense that there was nothing secret about it. It was a rebellion in that it was a refusal to accept what the Government sought to impose upon the country.

The Government acted upon its interpretation. Disregarding Gandhiji's clear statement that he would launch no movement without meeting the Viceroy, the Government struck at the leaders. It acted in the greatest secrecy. It used the maximum of force available to it.

What followed is now widely known. The Government was driven by its initial step to use more and more force. From Mr Amery's confidence in the ordinary law of the land, Britain drifted rapidly to Mr Churchill's faith in the presence of White forces in the country in unprecedented numbers.

Coercion and repression, however, failed to dislodge the Congress from the affection of the people. The countrywide observance of the Ninth of August bears eloquent testimony to the devotion of the people.

The Ninth of August would not be a memorable day but for the resistance of the people to the unrestrained might of authority.

That the Congress should have marked out that day in preference to 8 August, the day the AICC sanctioned resistance, is no mere accident. Neither is it in commemoration of the Government's part in coercion.

The Ninth of August stands out as the day when deprived of its loved and trusted leaders, the nation accepted the challenge thrust upon it by a bellicose Government.

In the three years that have passed, there have been disappointments. But the people have prevailed.

Lord Linlithgow in the pride of his power wrote to Gandhiji, his prisoner. The Congress, he said, would have to answer the charges which his government had framed against it. And that Government, he believed, would choose the time.

Today it is not the Congress which is on its trial but the Government. It is not Gandhiji who asks that the events of the past three years be forgiven and forgotten but the Viceroy.

There are certain things, however, which a nation struggling for its freedom cannot forget.

It is these things that come to mind most prominently on the Ninth of August.

The goal of Indian Independence has been sanctified by the sacrifices of those who had the courage to suffer for the people. The aim of Indian Unity is blessed by the sufferings of the Indian people—sufferings which took small account of caste or creed.

India, free and undivided, is the ideal and there can be no deviating from it.

In trying to thwart that legitimate ambition, the Government has been forced into seeking support from strange quarters. The logic of events has inexorably forced the Government to repudiate them. Even the claim of maintaining the administration of the country at a high level has had to be abandoned. In the last analysis, every claim has been reduced to the material end of maintaining itself in power.

When even the bitterest opponents of the Congress are forced into paying a tribute to the Congress and to the cause it has espoused, it is idle to expect Congressmen to abandon Indian Independence and Indian Unity.

The torch of freedom burns bright. The Ninth of August is a warning and a reminder. It is a warning against compromise. It is a reminder of the untold sacrifices of unnamed men.

Those sacrifices shall not go in vain.

The declaration of independence formulated by the All-India Congress Committee was ratified by the people's struggles in the ensuing days.

Gandhiji with unerring precision marked the position clearly and beyond the shadow of doubt. 'I am not going to be satisfied,' he said, 'with anything short of complete freedom. I am not going to bargain for ministries.'

From that there can be no going back.

11. B.R. Ambedkar on British Election Results

Star of India, Calcutta, 9 August 1945.

What are the lessons which the British elections have for India I find two worth mentioning. One is the triumph of the common man. For the first time in countries with a parliamentary system of government, democracy in the real sense of that term has succeeded in destroying the rule of the governing class. Democracy has failed all over the world—indeed has become a putrid corpse, to use Mussolini's phrase—for the simple reason that the common man out of sheer traditionalism and ignorance has remained content with the exercise of the vote once in very five years leaving the governing class to rule, which never failed to govern in its own interest.

The second lesson which the British election results has is the utter disregard of gratitude or personal predilection in elections. To have thrown away Mr Churchill, whose services to the British nation during the war can never be over-estimated, is probably the most unprecedented example of courage and rationalism in politics. Curran, the Irish patriot, once said that no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its liberty. The British have shown that they regard the interest of the country more important than loyalty to an individual, however, great. The second thing the British people have shown is the power to discriminate between the capacities of different men and of the same man for different tasks. Mr Churchill was upheld as a war leader. The same Mr Churchill was dethroned quite unceremoniously as being unfit for peace and reconstruction. These characteristics which are so markedly exhibited by the British people in the recent elections show, that they are a people who

are sound in heart and that is why one feels so sure of British recovery from the catastrophe of the war.

There is no Indian of note who has not made a statement on the British elections expressing his joy over Labour victory. My feelings were of a different sort. I was comparing the conduct of Indians with the conduct of the British and I could not help crying for my country and hanging my head in shame at the hero worship of political leaders responsible for misguiding the people, over-reaching their own ambit of power, losing opportunity after opportunity and in their demoralization accepting shadow without substance and ready to make peace without honour with utter disregard for the interests of the country, ready to glorify their most stupid and most criminal acts for which in other countries they would have been condemned as guilty men and flung out of politics.

Those Indians who are interested in the British elections will do well to know what are the lessons to be learned from the British elections and follow them in the conduct and shaping of Indian politics. The Indian people are taking a great responsibility in allowing their politics to be run and controlled by inept people. What will the Labour Government do for India I do not wish to prophesy. But I would like to make a suggestion and to express a fear.

My suggestion is that the Labour Government should not waste its time and energy on instituting an interim Government. It would be best to proceed at once with the ultimate problem of establishing a Government of the people, by the people and for the people. It should not take more than two years. An interim Government may be an impossibility as the Simla Conference has shown or it may be a futility—old wine in new bottles.

My fear about the Labour Government is quite real and I must take this opportunity to express it. Anyone who knows anything about the attitude of the British political parties to Indian politics cannot fail to realise that there has been a marked difference between the attitude of the Conservative Party and that of the Labour Party. The Conservative Party knew well the problems and difficulties with which the Indian political problem is riddled. But the Conservative Party, instead of taking steps to solve them and make way for progress, took shelter behind them and proclaimed their inability to advance. The Labour Party on the other hand under the influence of doctrinaire democrats had made light of these difficulties.

There is therefore a great danger of the Labour Party ignoring these difficulties and placing vast sections of people under a constitution without adequate protection. This would be a disaster of the very first magnitude. The case of the Depressed Classes must be a matter of special concern to the Labour Party. The Depressed Classes have been treated by the Conservative Party as a poor relation whose pretensions for recognition are not to be encouraged. This is clear from the declarations made by the Conservative Party that political settlement in India is to be governed by two major parties. The first thing the Labour Government ought to do is to reverse this obnoxious principle and treat all the important elements in the national life of India on an equal footing in the matter of constitutional safeguards. The Labour Party has more kinship with the Depressed Classes. And if the Labour Party is true to its aims and its objects, the only way it can prove its faith is to come out boldly to the rescue of the Depressed Classes.—API.



12. Complete Independence Only Solution to Indian Problem: The Aga Khan

Leader, 10 August 1945.

Johannesburg, 8 August. HH The Aga Khan,¹ accompanied by the Begum, arrived in Johannesburg from Lourenco Marques today and was welcomed by representatives of the South African and Transvaal Indian Congress, the High Commissioner for India and others.

Interviewed, the Aga Khan said complete independence was the only solution to the problem of India. Indian Independence might not be inconsistent with Dominion Status.

The Aga Khan expects no hope for India from the Labour victory in Britain because he says the British attitude to India is a national one which has nothing to do with party politics.

The Aga Khan added he supported the Muslim League 'up to a point'. He felt that as the League gathered strength it would gain wisdom and confidence. It was not so much the League itself in the past that was the stumbling block to India's progress. There is every hope for closer cooperation between the League and the Congress. Mahatma Gandhi was by no means the stumbling block to cooperation. Gandhiji's old age was the dark cloud on India's horizon.

¹ Leader of the famous Muslim Deputation to the Viceroy. Lord Minto, 1906 and president of the All India Muslim League in its early years.

13. Congress Would Never Forget the Martyrs' Sacrifices: Kripalani

J.B. Kripalani's address to the Progressive Group in Bombay

Leader, 15 August 1945.

Bombay, 13 August. Acharya J.B. Kripalani, General Secretary of the Indian National Congress, addressing the Progressive group this evening, said that Mahatma Gandhi is the greatest progressive living in the world whose principles of life should form the basis of the real progressive man.

Reviewing the political situation in the country since August 1942, Mr Kripalani said that every movement launched by the Congress for the freedom of India grew more strong and dynamic because the whole movement was based on moral strength. The last movement, though not launched by the Congress, was a real people's movement which was a spontaneous expression of the urge of the people for the freedom of their country. Those people who faltered and who wanted peace at any price, he declared, had no faith in our own people and he added that such people were too optimistic of India's freedom while they forgot the objective facts before their eyes.

Referring to the Simla Conference, Mr Kripalani described it as a Conference called by the Viceroy with no purpose in view. He found it incomprehensible that the Viceroy should reject the unreasonable demand of Mr Jinnah and yet take the blame of the failure of the Conference on his own shoulders. He thought that Lord Wavell had acted as a true representative of the British Government and by his magnanimity wanted to protect the British Government from attacks of nationalist India.

The speaker expressed the opinion that Mr Jinnah's stand as stated by him while addressing a meeting at Bombay, wherein Mr Jinnah had declared that the Muslim League would not accept any central Government, even for an interim period, was irreconcilable with his stand at Simla. Why did Mr Jinnah participate in the Simla Conference when he knew that the formation of a provisional Central Government for an interim period was the purpose of the Conference?

Acharya Kripalani declared that the Congress would never forget those martyrs like Mahendra Chaudhary who laid down their lives for the glory of their country. Those are the patriots, he said, whose execution should not make us sentimental. 'We must remember their heroic sacrifices for the cause of freedom of our country and fight our battle to a finish.'

14. Muslim Future Lies in their Own Hands Without Outside Compulsion: Azad, 20 August 1945

Tribune, 21 August 1945. See also GOI, Home Dept, File No. 97/45-Poll (I), 1945, NAI.

Srinagar, 20 August. The war which has just ended led to the postponement of many urgent problems. In some cases this was inevitable. In many others, the war was made an excuse for such postponement. The final end of the war has suddenly brought all these problems to the forefront and war conditions can no longer be pleaded as an excuse. Both from the national and international points of view the question of India's freedom, political and economic, is now an urgent and vital issue on which depend not only the well-being of 400,000,000 but also to a large extent the future peace of the world.

This question, always vital and important, has now been precipitated to the very forefront and there can be no further delay in its solution. The solution has now to be a final and permanent one. Such a settlement can only mean the establishment of a democratic government for a free and independent India co-operating in the international domain with the other free governments of the world. As a part of this settlement, and for the brief period between now and the assumption of office by the Government of free India under a constitution framed by the constituent assembly, interim governments both in the Centre and the provinces will be necessary in order to deal with the acute distress prevailing in the country and with post-war problems, as well as to arrange the preliminary processes of the constituent assembly. But such interim arrangements can only be possible as a part of the final settlement.

It has been stated on behalf of the British Government that a constituent assembly should be summoned at the conclusion of hostilities. Hostilities have now ceased. The only excuse that may be advanced for a possible delay in convening the constituent assembly is the lack of a solution of the communal problem. This should offer no difficulty as the Indian National Congress has gone a long way to find a solution.

In regard to the Hindu-Muslim problem as it has taken shape today with the demand on the part of the Muslim League for partition of the country, the Congress has given the most earnest consideration to it, desiring as it does, the well-being and freedom of the country as a whole and of each group or community in it. It has even recognized the right of self-determination of any area provided that this is the established and declared will of the inhabitants of that area, but subject to the exercise of such right not resulting in the compulsion of any other group.

The Congress is convinced that the Indian State can only be based on the willing co-operation of its federating units and of its principal communities and cannot be founded on compulsion. Further, the Congress has declared that the federating units should have the largest conceivable amount of freedom to function as they will, subject only to certain essential bonds for their common welfare. Even independent countries adjoining each other have to develop these common bonds and links and can no longer live in isolation.

Thus the Congress has gone to the farthest limit in recognising the right of self-determination even to the extent of separation under certain circumstances and with certain safeguards for the communities affected and for the country as a whole. It has done so in the earnest hope that when

the problems are viewed in proper perspective and without passion and prejudice, the facts of the situation will induce all concerned to co-operate together in building up a free and democratic Indian State, with every freedom to the constituent units to develop according to their needs and wishes. But if any such unit or group of adjoining units decides otherwise, it can take charge of its own destiny. It will be open to the representatives of such a unit in the constituent assembly to advance its claims and a decision on this should not rest on the majority vote of the assembly but on the vote of the representatives in the assembly of the areas concerned.

‘While the Congress position is clear, doubts and suspicions have not wholly disappeared and I feel that in order to remove these some clarification is needed. I propose, therefore, to place this matter before the next meeting of the Working Committee and I am confident that the desired clarification will be forthcoming.

‘So far as I am concerned, after long and careful deliberation I have come to the conclusion that the division of India is wholly impracticable and opposed to the ultimate interests of Indian Muslims themselves.

‘But I realise also that the present political atmosphere of the country is surcharged with suspicion and doubt and a large section among Indian Muslims does not seem to be in a mood to view realities in their proper perspective. This section can be expected to do so only when it is assured that the determination of their destinies rests with Muslims themselves without external compulsion. When this is realised, suspicion and doubt will largely disappear and efforts to reach a desirable and mutually satisfactory solution of the communal problem will be fruitful.

‘In the great tasks before us, all of us must get rid of the fear complex. I appeal to my fellow Muslims to view the question in this perspective realizing that their future lies in their own hands and there can be no compulsion on them. I appeal also to my Hindu and Sikh and other fellow-citizens to appreciate this approach to a problem which has troubled us so much and has been a bar to our progress.

‘With this approach on the part of Muslims and Hindus and Sikhs, I have no doubt that the atmosphere of distrust will undergo a change and give place to a climate of mutual trust. Even the section of Muslims I have in view can then be trusted to begin to examine the question of separation dispassionately.

‘It should be borne in mind that if the right of self-determination is conceded to any area in such circumstances as prevail in our country, it is not to encourage fissiparous tendencies but to remove the very cause of distrust, and, therefore, the desire for separation.

15. Protest Against Holding of General Election Under Then Existing Conditions: Azad

The statement issued from Srinagar, 21 August 1945.

Amrita Bazar Patrika, 25 August 1945.

Just heard radio announcement regarding elections to Central Legislature before next budget session and early general elections to Provincial Legislatures. I cannot help registering my organisation’s emphatic protest for the Congress is still under ban, political prisoners and detenus in prisons, many other under several handicaps, funds and properties confiscated, civil liberties drastically refused under war-time ordinances and the Defence of India Act and Rules still in operation. Cessation of hostilities in Europe was immediately followed by withdrawal of war-time measures and restoration of normal conditions in England for electorate to express its will freely.

It would be glaringly unjust to hold elections without first allowing Congress to function normally for a sufficient time to organise elections.—Abul Kalam Azad.—API.

16. Need to Summon Central Legislature

Statement to the Press by H.N. Kunzru, P.N. Saprú and Syed Muhammad Husain, Allahabad, 23 August 1945.

Leader, 24 August 1945.

The announcement made yesterday that it had been decided that the elections to the central and provincial legislatures should be held as soon as possible could not have taken any one by surprise. The public, however, have been surprised to learn that the autumn session of the Indian Legislature will not be held this year. This means that there will be an interval of about a year between the last session of the legislature and its next session. This is without a precedent since the present legislatures came into existence. Besides, there are many political and economic questions, requiring early consideration. There are questions relating to the Indian army in general, demobilisation, resettlement, and Indians abroad which demand early attention no less than the political and economic questions.

The public interest, therefore, requires that the autumn session of the legislature should be held. It may be said that while the assembly will cease to exist on 1 October, owing to Ramzan and Durga Puja, it would not have been practicable for the legislature to meet before the second week of October.

The possibility of an early general election has been canvassed in political circles since the failure of the Simla Conference and must have been under the consideration of the Indian authorities for some weeks. It should have been easily possible for them to take steps to hold meetings of the Central Assembly and the Council of State in the latter half of September. The central legislature could thus have met after the Ramzan and before the commencement of the Durga Puja. It is possible to arrange for this. In any case there is absolutely no reason why the Council of State should not meet. In the absence of the Assembly no legislative measure can be placed before it, but it will have important questions to consider from the non-official point of view.

We, therefore, strongly urge upon the Governor-General the necessity for reconsidering his decision and summoning a session of the Indian Legislature or at least of the Council of State in autumn.—API.

17. Restore Full Civil Liberties, Release of All Political Prisoners and Remove Ban on Congress Socialist Party: Demand by Maulana Azad, 23 August 1945

Maulana Abul Kalam Azad's statement, Srinagar, 23 August 1945.

Bombay Chronicle and *Amrita Bazar Patrika*, 25 August and *Tribune*, 24 August 1945.

It is a matter for satisfaction that several Provincial Governments have now taken steps to lift ban on Congress and I hope further steps will soon be taken to restore civil liberties in the fullest measure to enable the electorate to exercise its will in an atmosphere of full freedom. The release of all political prisoners and detenus of all categories and the cancellation of all restriction orders and unexecuted warrants of arrest must follow and follow quickly to complete the process of

restoring normalcy. Even before the end of war was clearly in sight, the Viceroy was pleased to recognise that there was much to forgive and forget on both sides.

After the end of hostilities what is immediately wanted in India is a new start with all bitterness of the past completely wiped out. The dead past, which was the outgrowth of its own abnormal circumstances, brought about by the tragic world upheaval, must be left behind to bury its head.

The foundation of a new India in a new world must be laid on the main rock of general goodwill, freedom and willing co-operation. In the light of this conception of the future I cannot understand why any exceptions should be made and allowed to rankle in the body politic. The exceptions so far reported include the Congress Socialist Party. Whatever might have been the point of view of the Government engaged in the prosecution of war, not only the spirit of forgive and forget but the general political situation in the country at the end of the war demands that the past should not be carried over into the future.

Surely the Labour Government of England should be the last to look askance at the Socialist Party of India, which is a section within the Congress. If they are supposed to remain under ban, the Congress organisation as a whole cannot be said to be free of it. I earnestly hope that the Socialist Party and all other patriotic organisations will soon be released from the embargo under which they are placed at present, and all of them will be allowed to function normally at an early date and to participate in the forthcoming elections and in the shaping of their country's destiny. I have not the slightest doubt that such a general revocation of the past with all its bitter memories will bring about that feeling among the dynamic sections of political workers and thinkers in the country, which is indispensable for determining India's future relations with England in an atmosphere free from the dead weight of the past.

18. Police Raj in Satara

Statement by N.V. Gadgil, 26 August 1945.

Hindustan Times, 27 August 1945.

Poona, 26 August. Mr N.V. Gadgil, President of Maharashtra Provincial Congress Committee, who had visited Satara and studied the situation there, characterized the Bombay Government's communique dated 21st August 1945 on the conditions in that district as 'misleading and full of misstatements.'¹

'Soon after my release in July 1944, I issued a statement asking all Congress workers to work openly and within the framework of the principle of non-violence which is the creed of the Congress. The result has been that from July 1944 up to now there has hardly been any act of sabotage of Government property or of assaulting of Government servants.

'Congress activities were then directed towards working out the constructive programme of Mahatma Gandhi and the foremost among these activities was *gram sangathana* or village organisation. This programme includes settling of disputes among villagers and the work in this direction proceeded so well that civil courts in many areas had little or no work at all. It is absurd to call this as "running of a parallel Government". As a matter of fact, many settlements arrived at the villagers' meeting were registered in Government registration offices. Congress workers prevented black market, improved sanitation; village feuds were referred to meetings of all villagers and sometimes to panchayats elected by them and settled. As a result, unity spread among all classes in villages and crimes, such as thefts and illicit distillation of liquor, decreased. In short, Congress workers had failed. That was the position by the end of December 1944.'²

'About that time, a high revenue official visited this area and apparently took the view that this

was more than he could tolerate. The police became active from January to April 1945. Villages after villages were raided. The people alleged that women were dishonoured and that mass beating was indulged in. It was a complete police raj. These police excesses were exposed by me in statements after visiting the place and studying the situation there. I even requested the Governor early in March to order an inquiry. A party of journalists who visited this area in April 1945 published dispatches substantially bearing out my points. The result was that I was banned by the Satara authorities from entering that place.

‘A number of changes took place among high police officials and the police force was strengthened. There followed innumerable complaints against the police. There was some pretence of inquiry into them. But nothing resulted. Agents provocateur tried to incite the criminal elements in this area to create troubles. Some of them refused [incitement], and some of them were beaten. One of them actually died in a lock-up. But a certain section, apparently with the connivance of the police, started trouble and, pretending to be Congress workers, have played the present mischief. Even in the period following August 1942, some of these criminal gangs committed dacoities which were believed by officials at that time to be committed by Congress workers.

After some time, district officials knew that the work was not that of Congress workers. Even today police officials know who are responsible; but in their anxiety to damn the so-called absconders whom they have not been able to round up in spite of their best efforts, they lay the blame on wrong quarters. Congress workers, who are pledged to non-violence had not been allowed to meet privately let alone hold public meetings. Those who want to work openly and legally are deliberately prevented from doing so. Congress workers who were enrolling members were harassed and their books were attached. Rashtriya Seva Dal activities, which are open and under Congress direction, were interfered with, although every time officials wanted any information about their activities it was immediately supplied. That organisation has also now been banned.

It is of importance to note that none of the allegations made in the Government communique against their body or others has been proved in any court of law, although, according to the Government, Satara is an area of several talukas and hundreds of villages. This area is normally a place where the proportion of crimes committed is very high and many private injuries or actions have been connected by the Government with political activities. Those who complained about officials taking bribes or about police excesses have all been arrested under DIR 129 and none of them put up for trial—a most flagrant abuse of the Defence of India Rules.

I propose to issue a detailed statement in due course. Meanwhile I have asked members of the Seva Dal and every Congress worker to work within the law openly and in consonance with the policy of non-violence.

¹ See Appendix II.

² During the year 1942–44 the underground movement in Satara was engaged, like underground movement in other parts of India, in subversive activities: destruction of government properties, looting of arms and ammunitions, collecting of funds through dacoities. There indeed was established ‘parallel’ Government in Satara. See Appendix I for documents, mainly from government reports, regarding the activities of the parallel government in Satara.

19. Asaf Ali Questions Advocates of Pakistan

Statement issued from Srinagar, 28 August 1945.

Hindustan Times, 30 August 1945.

‘As the electioneering campaign develops the Pakistan controversy will assume even larger proportions. I earnestly hope that the Indian Muslims will not be carried away by mere slogans

but will demand a clear, definite and detailed statement from the protagonists of Pakistan about (1) the proposed constitution of the so-called Pakistan areas which has not seen the light of the day since 1940, although it was promised by the Lahore resolution; and (2) a full list of material benefits expected to accrue from the proposed separation of Pakistan from India.

Crores of Muslims permanently living in the Hindu majority provinces cannot afford to think in terms of far off Pakistan. They should formulate their demands as a minority and seek constitutional safeguards for their vital interests. In the absence of anything definite in shape of a draft constitution as contemplated by the Lahore resolution I do not see how the electorate can intelligently appreciate the implications and consequences of a vague term.

Whichever way one may look at it one cannot see how stable sovereign States can be established in the north-west and the north-east without fully satisfying the powerful minorities which reside in these areas. Nor has it ever been made clear how these sovereign States can function in the modern world without entering into treaties with the neighbouring States. By the time these treaties have been concluded with Hindustan the final situation cannot be very much different to what it is bound to be if fully autonomous provinces agree to federal India.

Leaving aside for the moment the vital economic questions whose complexity cannot be lightly brushed aside, I wonder how the advocates of Pakistan view the question of the Muslim proportion in All-India services and how they propose to absorb a considerable number of Muslims who cannot find place in All-India services after the separation of Pakistan.

A very big item will be the share of the north-west region which naturally includes the Punjab in the fighting service. The Punjab will require something like 12 crores a year in normal times and will have to find much more to maintain the armies for the defence of the north-eastern Pakistan alone. And Bengal will have to find an equally big or even bigger amount for its executive and defence services.

Again the question of industrialisation is a very big one and without a guarantee of stability these areas will find it next to impossible to attract capital from Hindustan and therefore, I do not find it easy to understand how the general standard of life will be raised in Pakistan. Bengal is one of the most thickly populated parts of the world and within a short time its overflow of population will need room for expansion. By what scheme the advocates of Pakistan propose to meet such a contingency requires some explaining.

No indication of the recommendations of the Pakistan Planning Committee is available and the masses of the poor Muslim peasants, labourers, artisans and even lower grade public servants and masses of unemployed have a right to know by what scheme and policy their poverty and wretched conditions will be improved. Vague theories can be no substitutes for clearly worked out blue prints.

I have touched upon only a very few out of host of vital questions which every Muslim has a right to know before voting for Pakistan. The preaching of hatred may rouse passions to a high pitch and may cloud the judgment of many but momentary passion will not solve the questions which have to be answered in a practical way. The Nationalist Muslims have a complete blue print which will secure not merely the fullest autonomy to the Muslim majority provinces but it will also secure every conceivable safeguard for the Muslims in the Hindu majority provinces and the federal Government. The Muslims have to decide whether their best interests will be served by sharing the full benefits of the entire country's rich resources or by being deprived of them.'—API.



20. Sankarrao Deo¹ Offers to Bring Peace to Satara if Repressive Measures Withdrawn, Bombay, 28 August 1945

Hindustan Times, 30 August 1945.

The measures adopted by the Government of Bombay to suppress alleged terrorist activities in the district of Satara are to be regretted. They are as inopportune as they were unwise.

The Government's case is that the terrorists are attempting to organise a parallel government and impose its authority by inflicting fiendish cruelties on villagers and subordinate village officials. It is also alleged that these activities are carried on in the name of the Congress.

As a follower of the Congress and one wedded to its creed of non-violence, I would be second to none in disapproving the atrocities such as are attributed by the authorities to the alleged terrorists. I must also equally emphatically denounce the methods reported to be used by the police to suppress the alleged lawlessness. For, better than any one else, the Government ought to know that one wrong cannot justify another wrong.

Since my release from jail, I have been hearing a lot about the happenings in Satara district. Complaints were made to me about alleged police excesses and undue harassment of innocent men and women. Obviously, there are two sides to the shield, and I have my own doubts if all that the Government allege can withstand the test of an impartial judicial inquiry.

Assuming for the moment, however, that what the Government say is substantially true or correct, I cannot help telling that the remedy they have chosen is, to say the least, ill-advised. Before it is too late, therefore, I would reiterate what I said in my public speech at Karad in Satara district on 19th August and urge the Government to withdraw all repressive measures and see if they cannot achieve their objective with popular co-operation. Let them facilitate free movement and free speech of the chosen and trusted leaders of the people, and I feel confident that the desired improvement in the situation will come sooner and more smoothly than it would with additional police, military aid, mass arrests and collective fines. I am myself prepared to undertake the task.

One thing, however, I must make clear. As I have stated before, much has reached my ears about happenings in Satara. I would suspend my judgment either way until I have verified the various versions. I am trying to find facts. That must take some time. But, in the meantime, I am constrained to say, that the present policy of the Government stands in my way. My request to the Government, therefore, is that they should help me in my task by providing a congenial atmosphere. They can do it by withdrawing repressive measures and allowing me freedom of movement and speech in Satara district and giving me sufficient time.

The goal of the Congress is clear, so also its aim and its policy. The Congress aims to organise the masses by truthful and non-violent means. If, on investigation, I find that there was any violation of the principles of truth and non-violence, the Government can be rest assured that I will not hesitate to blame them (people indulging in violence) openly and publicly. If, on the other hand, I am convinced that it is no more than a work to organise the masses without disobeying any law and that the policy of the Government is to suppress that peaceful and legitimate activity, then that policy will have to be resisted.

The Congress cannot tolerate violence or coercion in any form. It will be the sacred duty of Congressmen like me to stand against any breach of this principle, be it by the people or by the Government. It is for this reason that I plead for time and for withdrawal of repressive measures. If the Government deny them to me the responsibility for the consequences will be entirely theirs.

‘Will it be too much to expect the Government to see their way to accept the hand of co-operation I have offered and to help to maintain the atmosphere of mutual understanding and goodwill that is so evident in the country today.’

¹ Member, Congress Working Committee.

21. Failure of the Strong Arm in Satara

Editorial, *Free Press Journal*, 30 August 1945.

The Press Notes¹ released by the Government of Bombay on the Satara situation have aroused widespread interest in the district.

The indefatigable President of the Maharashtra Congress, Mr Gadgil, has once again reverted to the charge of police excesses.

If the Government case rests on accusations of a ‘parallel government’ functioning in Satara, Mr Gadgil’s contention is that the established administration had ceased to exist.

It is well nigh difficult to say who is responsible when a great man-made calamity has visited a district. To the people living there, it is more important that the calamity should be got over and normal conditions restored than that blame should be apportioned.

Mr Gadgil has asked for an impartial inquiry. He has been asking for one since early this year. Government has responded by launching on a veritable campaign of justification.

The only meaning of this response is that the public has been asked to form its own opinion. By their action, the Bombay Government have imposed an obligation on all concerned to hear both sides of the Satara story.

The levy of collective fines from whole villages is an objectionable method of penalizing the people whom it is intended to protect. The exemptions on communal grounds make these extractions even more obnoxious.

If the people of Satara are a terrorized population, there is little justification for visiting the sins of the political or non-political terrorists on their innocent heads. The police are maintained through normal times in order that they might protect the community in times of stress. When they are not able to carry out their duties, there is no excuse for inflicting financial exactions.

The public who have been appealed to cannot but conclude that normal and abnormal methods have failed to restore order in Satara.

The Congress leaders, who are best informed on Satara affairs, have pleaded time and again that they should be allowed a chance.

The Government policy has been worked out fully. It has failed. Repression in Satara has not brought peace.

It is time that other methods were attempted. A reversal of the past policy of bans on meetings, of collective fines and of persecutions is definitely indicated.

The Government should not hesitate to take Congress help. The situation in Satara has passed beyond all questions of prestige.

The Press Notes themselves indicate that the Government have not been able to manage Satara by themselves, but they also show their reluctance to admit it.

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If the Press Notes indicate the closing of a tragic chapter, they are welcome. Otherwise they can but lead to a stirring up controversy.

Delay would be dangerous. It is time to initiate a policy of co-operation.

¹ See Appendix II for Press Note issued on 21 August 1945. The second note was issued on 27 August 1945.

22. Replace Repression by Reconciliation

Statement by Sankarrao Deo, Bombay, 30 August 1945.¹

Hindustan Times, 2 September 1945.

'I note with regret the twist which has been given by certain newspapers to a recent statement of mine on the situation in Satara. Having heard of the happenings in the district I took an early opportunity to go into that area to meet several Congressmen and public workers of all shades of opinion. I could not meet many of my valued colleagues and workers as hundreds of them were silenced and spirited away under the Defence of India Rules. As far as the people's movement of establishing village panchyats was concerned it had almost come to a standstill. I, therefore, felt confident that the situation could easily be restored to normal and the rule of law again established provided the punitive restrictions were removed and the Congress allowed to function normally.

'I, therefore, made an earnest appeal to the Government to withdraw the extra police. Instead, I find the military have been kept in readiness and a Press campaign² has been started, which only gives a partial picture of the happenings and which is obviously meant to justify the present police raj in the district. It is being used to queer the pitch for the restoration of normal civic liberties in the province.

'I would not hesitate to condemn Congressmen if, on an impartial enquiry, they are found to have perpetrated acts of violence and terrorism. The Congress has condemned cowardice and slavish submission in all forms. But when law is divorced from its normal basis, it loses its validity. The irresponsible and autocratic regime under Section 93 is incapable of responding to the vital urges and needs of our people.

Mr Deo added that unless the administration was freed from the present incubus of police *zulum* and military occupation, it was futile to expect the people to discharge their duties normally.

'Let the Government cease their policy of terror and adopt a policy of reconciliation, and I feel confident that the situation can be brought under complete control without unnecessary bitterness.'

¹ Statement dated 22 August 1945.

² Press Note dated 27 August 1945 issued by the Govt of Bombay. *Bombay Chronicle*, 28 August 1945.

23. Government Responsible for the Present Condition in Satara¹

Resolution passed by Satara District Congress Committee, 4 September 1945.

Bombay Sentinel, 7 September 1945.

A publicity campaign has been started by the Government of Bombay since the last month about the happenings in the Satara District and is being supported by the Anglo-Indian papers. The picture which this propaganda is presenting is one-sided and distorted and positively mischievous. Instead of helping to improve the situation, it will only worsen it.

For years before 1942, dacoits and absconders have been carrying on their anti-social activities by violent means, so openly and on such a large scale in some parts of the Satara District—

especially in the southern talukas—that the people naturally believed that they could not be functioning without police connivance or complicity.

In the countrywide movement that started after the Congress leaders' arrest on 9 August 1942, the Government resorted to ruthless oppression. The police opened fire on peaceful and unarmed demonstrations like the 'peasant marches' in a number of places and scores of innocent peasants and Congress workers were shot in cold blood. Thousands were interned under the Defence of India Rules without any trial; there was acute shortage of grain and cloth. Grain levies were made in such an arbitrary, high-handed and unjust fashion that the people were exasperated and embittered. Collective fines were imposed in the villages of Satara and collected with Nazi thoroughness. This created an all-pervading atmosphere of terror all over the district.

We must have this background clearly before us if we want to see things in their proper perspective and understand their real significance.

Congress workers went underground. They tried bravely to fight this naked terror and started a movement of establishing social justice and reform. In doing this they sometimes took recourse to means and methods which were not in conformity with the Congress creed of non-violence. But the main responsibility for creating the present situation rests on the Government.

¹ The Executive Committee of Satara District Congress Committee held a meeting on 4 September at Satara which was attended by Sankarrao Deo, Member, Congress Working Committee and P.H. Patwardhan among others. It passed the resolution holding the Government mainly responsible for the present conditions in Satara, and police terror and violence as the root causes of those conditions.

24. Quit India Resolution 'Our Guiding Star'

Acharya Narendra Deva, press interview at Varanasi, 5 September 1945.

Leader, 7 September 1945.

In an exclusive interview to the representative of the *Leader*, on the important issues that will come up before the forthcoming meeting of the All-India Congress Committee, to be held in Bombay, Acharya Narendra Deva said that although conditions in the country were far from normal, the legalisation of the Congress committees 'has made it possible for us to take constitutional decisions on the present political issues.' Among the questions of the day, the constitutional problem overshadows all. The Pakistan issue is only an offshoot of this question.

The interim solution, Acharyaji said, was thrown in the wilderness owing to the sudden end of the war. Now the stage is being set for a permanent solution. That is all to the good; only let us see to it that the solution is as really and truly a permanent one as possible.

Referring to the proposed constituent assembly, Mr Narendra Deva observed: 'The question that agitates the public mind today is that of the constituent assembly. The Congress undoubtedly stands for the method of the constituent assembly. But under what conditions and on what basis? There is the basis laid down in the Cripps proposals. The Congress rejected the Cripps plan as a whole but did not pronounce its opinion on its details. That clarification must be made.'

'The general principles that will guide the Congress are clearly laid down in the resolution passed by the AICC at Bombay on 8 August 1942. That remains our guiding star. There can be no doubt, whatsoever that the ends envisaged in that resolution require the complete withdrawal of the British authority from India as early as possible. We wish the British would leave us alone and let us solve our problems as best as we can. The existence of the third party inevitably complicates matters and obstructs solution. And even while the British are here, we cannot refuse to face this problem. In the terms of the August resolution our path is clear. We must lay down the broadest

basis for the constituent assembly to ensure the erection of a constitutional framework that will provide for the fullest and freest development of the people of India—of the workers in the field and the factories. Such a broad groundwork clearly demands the election of a constituent assembly on the basis of adult suffrage. Without this the thing will be devoid of the real mass value. And that is the only value that Congress recognises or understands. If a legislature elected on a narrow franchise is to be made the instrument for election of the constituent assembly there will be trouble. The Congress must refuse to take part in the convocation of such an assembly.'

Concluding, Mr Narendra Deva said: 'Certainly, participate in the elections but only to forge out of them a constituent authority which will be powerful enough to assert and enforce the will of the people of India. The British people should know that no stable solution of the Indian problem is possible except on the basis of complete freedom of the people.'

25. A Plea for Restoration of Normalcy in Satara

Sankarrao Deo's Statement, 6 September 1945.

Based on *Bombay Sentinel*, 7 September 1945 and *Leader*, 8 September 1945.

When the ban on the Congress organisation is being removed all over the country and Congressmen are being released from prisons and people are looking forward to the restoration of civic liberties and normal public activity, lonely Satara is still experiencing a police 'Raj'.

Every day men are being arrested and detained without trial, peaceful and educational institutions like the Seva Dal are being banned, collective fines are being imposed and collected without the least consideration of equity or justice, and there is an all-pervading atmosphere of bleak terror.

Fifteen hundred armed officers and men of the Bombay District Police, are ceaselessly patrolling the heart of Satara District night and day.

Terror and punishment are the only two weapons in the police armoury. To justify this regime the Government of Bombay has started a new publicity campaign focusing the flood-light on Satara. This tendentious propaganda of an improved 'Tottenham' variety is likely to deceive no one. The bogey of a wide deep, well-knit criminal conspiracy which it tried to raise, is obviously meant to serve as a smokescreen for crushing ruthlessly the spirit of resistance of the people by stamping out the living embers of lingering life among the proud peasants of the district. We can be proud of the resistance that our people have shown when they were absolutely unprepared and unarmed. I am conscious of the fact that the resistance was not uniformly non-violent and some acts, I regret to say, were not in conformity with the Congress creed of non-violence, I am, however, convinced more than ever that real freedom can come only through its observance. Non-violence must remain the sheet-anchor of all Congress activity.

But I can never allow a foreign and irresponsible Government whose very existence is based on organised violence to make people's lapses from non-violence a plea for isolating them and mercilessly beating them down, nor will they be allowed to create divisions in our ranks by labelling some of us as 'orthodox' and others as 'unorthodox'.

A Government which really desires that people's resistance to the existing power should be non-violent, must first show a genuine democratic spirit in its dealings with the people, preserve a modicum of civic liberties and create conditions in which people's discontent and resistance can easily be expressed through non-violent action.

I have already appealed to Government to 'cease fire' and create normal conditions. There are two ways of settling the question. If the Government want an inquiry into the acts of violence committed by the people, let them submit the whole 1942 episode to an impartial judicial tribunal.

They have themselves been the first culprit. The Congress will gladly submit to such a tribunal and willingly accept its verdict. Is the Government ready? If not, stop the recriminations and allegations, agree to drop a curtain on the past and create an atmosphere of goodwill by restoring civil liberties and responsible administration. Unless the decision is taken one way or the other the vicious circle can never be broken.

I attended the meeting of the Executive Committee of the Satara District Congress Committee which met on Monday, the 3rd inst.¹ Prominent Congress workers of all the Talukas and Congress MLAs were present by special invitation. Many have been eye-witnesses of the happenings and had personal experience of the police occupation regime in Satara.

The people in Satara District were stirred by the 8th August 'Quit India' resolution as never before. The peasants and wide masses of the people responded to the Congress call of action with rare enthusiasm and courage. The movement was thoroughly non-violent and peaceful in its initial stage. Demonstrative marches of villagers were openly organised. I can never forget the vivid description of the march at Vaduj that my friend Shree Sinhasane gave with tears flowing from his eyes.

Innocent, unarmed and disciplined ranks of the marchers were fired on. The whole incident was too inhuman and cruel and shocked everyone in the District. The Bar Association appointed a small committee to investigate and report on the incident. But it was immediately banned by the Government and the Police Officers who were responsible for the crime were given decorations and titles. Similar firing on unarmed and non-violent people who came marching peacefully was repeated in half a dozen villages.

Collective fines on villages were arbitrarily imposed and ruthlessly collected. In one instance 30,000 rupees have been collected in a single day from a village. Similar fines have been imposed and collected from various villages and all this for the alleged acts of sabotage or violence or for two or three absconders from each village.

Thousands of our workers and men of public spirit were arrested and detained without trial and there was no one to whom the harassed people could turn for help and sympathy.

It was in this context that some workers, who had gone underground and who were trying bravely to fight this naked terror, started a movement of establishing social justice and social reforms or what they called *Gram Rajya*.

The experiment was a creative effort of the indigenous talent of the common men of the villages. It was mainly devised, planned and executed by the common men of the villages themselves. The inspiration was the urge to resist and stop the incubus of a mighty and organised violence of the police and find a way out for a decent and self-respecting collective life. The situation, however, was complicated by the existence of the traditional criminal absconders in the District, especially in the southern taluks.

The tract on the bank of river 'Varma' was considered as almost ceded to the criminal absconders. They carried on their anti-social and violent activities so openly and on such a large scale that it was natural for people to conclude that they must be working with the police connivance and complicity.

I read with great interest an article which has appeared in *Aikya*, a Marathi weekly of liberal views published in Satara on 12th July 1942. It was published long before the Congress movement and its testimony must, therefore, be considered as unimpeachable. It complains of the *Goonda Raj* that was rampant in some parts of Satara and declares the utter ineffectiveness of police *bandobast*. But the Government that has declared holy war, with an air of righteous indignation on 'criminal' elements today, did not move its little finger to do anything effectively at that time.

There were thus three elements in the District, one was the underground workers, second the police and the third the traditional criminal absconders of Satara District.

It is not easy therefore, to find out truthfully today who has been really responsible for every act of reprisal, violence and counter-violence that has taken place in the District during the last two years. It is neither just nor fair to hold the underground workers responsible for the various acts of violence that have been committed.

I am painfully aware of the fact that in carrying out the new experiment of establishing *People's Panchayat* or Raj the men were not some times equal to the task, and in dispensing justice, medieval methods were occasionally resorted to.

But these people were inspired by the noble urge and did succeed to a degree in annihilating the criminal absconders whom the police had not been able to touch for years together, and created a new social consciousness and public spirit in the wide masses of the villages.

I have with great efforts been able to contact some of these underground workers and have tried to understand their point of view.

They profess loyalty to the Congress and are anxious to do nothing against its creed and policy now that it has started to function normally, that is the impression they have left on me.

The Congress has suspended the civil disobedience struggle and is resuming its normal activities. If only the Government shows imagination and plays its part I feel confident that the situation can be brought under control and normal conditions restored in no time.

If the Government are anxious to establish peaceful conditions and if their object is not to wreak vengeance on the proud people, let them withdraw the extra police and military and other punitive impositions, release forthwith the hundreds of our men who have been detained in jail without trial, let them take people's representatives in confidence and carry on the administration with their consent and co-operation, and the rest is easy.

I appeal to the Congressmen to start their normal activity and behave with restraint and dignity even under provocative circumstances.

Our immediate task is to move from village to village and explain to the people the Congress policy and its constructive programme. Let us organise relief to the families of the political sufferers, give free legal aid and protect the people from the illegal aggressions of the police or of the village goondas. The whole of Maharashtra stands by Satara in its fiery ordeal. I appeal to the Government not to exasperate the people further and try to break their spirit, but reason with them and win their cooperation. That is the only way out.

¹ See Document No. 2. It was held on 4 September.

26. Withdraw Armed Forces from Satara

Editorial, *Bombay Sentinel*, 8 September 1945.

The resolution of the Satara District Congress Committee in conjunction with the more detailed and illuminating statement of Mr Shankarrao Deo¹ gives the unbiased and correct perspective of the situation in Satara District and the 'reign of terror', as Mr Deo calls it, inaugurated by the Police.

It is a tragedy that though the Government has been doing its best to subdue the lawless elements in the District for the last three years, it has failed to give any relief to the public. The lawless activities of non-Congress elements continue more or less even to this day.

It is claimed by Mr Deo that these activities began long before August 1942, and that the Government was unable even then to bring the wrong-doers to book. The August movement has

now been seized by the authorities to penalize the Congressmen needlessly, one must say. No wonder it has failed.

The Congress Committee's resolution makes it clear that the present trouble was caused by the measures of the officials who 'opened fire on peaceful and unarmed demonstrations like the "peasant marches" in a number of places and scores of innocent peasant and Congress workers were shot in cold blood'.

There were grain levies collected in an 'arbitrary, high-handed and unjust fashion' and the people were exasperated and embittered. Added to this there were large fines on villages 'collected with Nazi thoroughness'. Needless to say there was an 'all-pervading atmosphere of terror all over the District'.

That is really the gist of the situation in Satara, stripped of its malicious propaganda carried on by the Government with the help of Anglo-Indian press. In short, 'Police terror and violence are the root cause. If that is removed', the resolution adds, 'the situation can be brought under control immediately'.

The Government had a free hand all these years, but it has been unable to give relief to the District and instead has made the lives of law-abiding citizens miserable and unsafe.

If the Government is at all anxious to restore peace, since all other measures have failed, it is quite open to it to withdraw its armed forces and allow an opportunity to Congressmen to carry on their activities openly and bring about peace.

We are aware that questions of prestige are bound to stand in the way, but in view of what has happened all these years and the political changes that are likely to take place in the immediate future, the wisest course for the Government is to invite Congressmen to co-operate with it to restore peace and order.

This, the Congress leaders are only too anxious to do, once the Police Raj is withdrawn. The Congress leaders are ready to co-operate and help the Government in every way possible, but for that purpose the proper atmosphere must first be created. At present there is none.

One must support the appeal of the Satara Congress Committee to all underground Congress workers to carry on their normal activities in a normal manner without fear of consequences.

That way only lies the remedy for the many existing ills. The statement issued by Mr Deo fully supports the Satara Congress Committee's resolution and supplements information.

Mr Deo admits that in carrying out the 'new experiment' of 'People's Panchayat or Raj' the men engaged in the work 'were not sometimes equal to the task in dispensing justice, medieval methods were occasionally resorted to'.

That is regrettable, but perhaps excusable though we are not disposed to sympathise with the methods employed, whatever they may be. The only excuse is that the authorities themselves were not above-board.

The explanation put forward by Mr Deo is that these men 'were inspired by the noble urge and did succeed to a degree in annihilating the criminal absconders whom the police had not been able to touch for years together and created a new social consciousness and public spirit in the wide masses of the villages'.

If the Government is anxious to restore normal life in the District it must set an example by withdrawing the Police and the Military, the latter ostensibly for training purposes, according to the Director of Information.

It is not too late for the Government to retrace its steps and allow the Congressmen to carry on their legitimate activities, since the Congress organisation has now been made legal everywhere in India.

That is the immediate step to be taken by the authorities. The next step will be, if they are so inclined, to find out the rights and wrongs of the whole question, and for that purpose an impartial body of public men needs to be appointed.

At any rate, there is no room for complacency of the Government, and the sooner it is able to enlist the co-operation of Congress-minded workers in Satara the better it should be able to accomplish the task it has undertaken.

¹ See Documents 23 and 25.

27. Ban on Meetings and Processions Continues in Satara

Bombay Sentinel, 10 September 1945.

Mr N.V. Gadgil, President, Maharashtra Provincial Congress Committee has received a communique from the Home Secretary, Bombay Government that the ban on the meetings, assemblies and processions in the Bombay province has been lifted, except in the Satara District.

It will be recalled that this ban was enforced on 9 August 1942.

28. Azad's Plea for Revision of Electoral Rolls and Lifting the Ban on the Congress Socialist Party

Press interview, New Delhi, 7 September 1945.

Bombay Chronicle, 8 September 1945.

New Delhi, 7 September. The Congress President Maulana Abul Kalam Azad in an interview today preferred the postponement of elections with a view to widen the franchise and revise the electoral rolls rather than holding the elections on the present incomplete electoral rolls.

'The Congress,' he said, 'has stood for adult suffrage for more than a quarter of a century and, therefore, it cannot view with equanimity the deprivation of tens of millions of potential voters. It is a matter for satisfaction that this is being realised in other quarters too and public protests are being lodged against the restricted franchise and in effective electoral rolls on the basis of which the forthcoming elections are proposed to be held. It would be travesty of the principle of representation to exclude the bulk of the population from expressing their will and exercising their choice of representatives either for forming Governments or for the constitution-making body. Any election held on the basis of existing electoral rolls will be entirely valueless for it cannot reflect the will of the bulk of the adult population of the country.

'Considering the fact that these elections will be a prelude to the Constituent Assembly and the issues at stake are so vital, a postponement of the elections is called for.

The Maulana Saheb hoped that the ban still in force on the Congress and allied organisations would be lifted. He particularly referred to the Congress Socialist Party and said: 'Now that the Congress is no longer an unlawful association and normal activities have been resumed, it is obvious that no party within the Congress can pursue any activity which has not the sanction of the Congress and therefore to place any party under a ban on the assumption that it is likely to act in defiance of the recognized Congress policy is wholly unjustifiable. If a party departs from the recognized Congress creed it will go outside the pale of the parent organisation and may then be held responsible for its independent activities. So long as this ban is not removed the Congress will not consider itself entirely free from it.'—API.

29. 'Quit Asia', Sarat Bose's New Slogan

Sarat Bose's interview to Associated Press after his release from Internment since 1941 in Coonoor (Madras): 15 September 1945.

Hindustan Times, 16 September 1945.

Madras, 15 September. 'The soul of India spoke through Mahatma Gandhi in two words—"Quit India", but I would say "Quit Asia", said Mr Sarat Chandra Bose, brother of Subhas Chandra Bose, who was interned in Coonoor since December 1941.

Mr Sarat Chandra Bose looked rather exhausted after his long period of detention. He looked pensive as if in meditation, but was quick to answer questions put by an APA correspondent.

Five years ago, in an interview to the same correspondent, Mr Sarat Bose said that unless the Congress took some positive action, the British Government would not part with power. Holding the same view today, Mr Bose objected to the long and verbose resolutions being adopted by the Congress. He learnt with satisfaction during the incarceration that Gandhiji had sponsored a movement by which some direct action was possible.

'I advised that the Congress should give a six-month ultimatum to Britain at the Tripuri Session, but my voice was then unheeded,' he said, and paid his homage to 'countless workers who sacrificed themselves for the attainment of freedom.'

'Pakistan is unpractical politics,' declared Mr Sarat Bose when questioned by our correspondent about Mr Jinnah's demand. He, however, declined to say more, hoping to shed further light after the Congress Working Committee adopted a resolution on the subject.

'I expect little or nothing from the Labour Government. Conservative, Liberal or Labour, the British ruling class won't give up power unless they were forced,' the Bengal leader said. He welcomed the Congress decision to contest elections, and said, 'I know little about Bengal, my home province, but now I am sure the Congress will triumph.'

Mr Bose told an API correspondent: 'It was vain for Indians to look for outside help in their fight for freedom which must be fought for and won in India itself.

'I have never in the past expected anything big from the British party cliques, whether Liberal, Conservative or Labour, and I see no reason whatever to change my mind. The fight for India's Independence has to be fought here and won. Independence will never come to us under Anglo-American auspices or Russian auspices, for the matter of that.'

He said: 'The indications at the present moment are that the British Labour party will offer India the Cripps proposals, possibly with a few words changed here and there. The late President Roosevelt was an inexhaustible layer-down of common places. And as regards Comrade Stalin I cannot forget that in the year 1935 he declared to Mr Anthony Eden, the then British Foreign Secretary, that the British Empire was the greatest force for peace and stability in the world. Some people may look to General Chiang Kai-shek for help and inspiration, but I do not. Let him first give freedom to his own country which he has long denied. It will be then time for him to think of other nations in the east.'

'The Indian National Congress,' Mr Bose said, 'has been the only fighting organisation in the country, and it is up to all of us to strengthen the fighting elements in the Congress.'

Mr Bose who has been invited to attend the Bombay AICC session, left Madras tonight for Calcutta from where, after a day's stay, he will proceed to Bombay.

Mr Bose and Lala Shankar Lal arrived in Madras this morning. They were accorded a rousing reception at the railway station.

At Coonoor yesterday both Mr Bose and Lala Shankar Lal addressed a largely-attended public meeting.

Mr Bose said although the 'imperialist' war had ended, India was still in fetters. He paid tribute to Mahatma Gandhi and other leaders for continuing the fight and for their stand on the 'Quit India' resolution. Mr Bose urged Workers and peasants to continue the fight for freedom.—API and APA.

30. Announcement Regarding Convening of Constitution-making Body

Broadcast by Lord Wavell, 19 September 1945.

Hindustan Times, 20 September 1945 and N. Mansergh (ed.), *Transfer of Power*, 1942-47, Vol. VI, pp. 282-83.

After my recent discussion with His Majesty's Government, in London, they authorized me to make the following announcement:

As stated in the gracious speech from the Throne at the Opening of Parliament, His Majesty's Government are determined to do their utmost to promote in conjunction with the leaders of Indian opinion the early realization of full self-government in India. During my visit to London they have discussed with me the steps to be taken.

An announcement has already been made that elections to the Central and Provincial Legislatures, so long postponed owing to the war, are to be held during the coming cold weather. Thereafter His Majesty's Government earnestly hope that ministerial responsibility will be accepted by political leaders in all provinces.

It is the intention of His Majesty's Government to convene as soon as possible a Constitution-making body, and as a preliminary step they have authorized me to undertake, immediately after the elections, discussions with representatives of the Legislative Assemblies in the Provinces, to ascertain whether the proposals contained in the 1942 declaration are acceptable or whether some alternative or modified scheme is preferable. Discussions will also be undertaken with the representatives of the Indian States with a view to ascertaining in what way they can best take their part in the Constitution-making body.

His Majesty's Government are proceeding to the consideration of the content of the treaty which will require to be concluded between Great Britain and India.

During these preparatory stages, the Government of India must be carried on, and urgent economic and social problems must be dealt with. Furthermore, India has to play her full part in working out the new World Order. His Majesty's Government have therefore further authorized me, as soon as the results of the Provincial elections are published, to take steps to bring into being an Executive Council which will have the support of the main Indian parties.

That is the end of the announcement which His Majesty's Government have authorized me to make. It means a great deal. It means that His Majesty's Government are determined to go ahead with the task of bringing India to self-government at the earliest possible date. They have, as you can well imagine, a great number of most important and urgent problems on their hands; but despite all their preoccupations they have taken time, almost in their first days of office, to give attention to the Indian problem, as one of the first and most important. That fact is a measure of the earnest resolve of His Majesty's Government to help India to achieve early self-government.

The task of making and implementing a new Constitution for India is a complex and difficult one, which will require goodwill, co-operation and patience on the part of all concerned. We must first hold elections so that the will of the Indian electorate may be known. It is not possible to undertake any major alteration of the franchise system. This would delay matters for at least two years. But we are doing our best to revise the existing electoral rolls efficiently. After the elections,

I propose to hold discussions with representatives of those elected, and of the Indian States to determine the form which the Constitution-making body should take, its powers and procedure. The draft declaration of 1942 proposed a method of setting up a Constitution-making body but His Majesty's Government recognized that, in view of the great issues involved and the delicacy of the minority problems, consultation with the people's representatives is necessary before the form of the Constitution-making body is finally determined.

The above procedure seems to His Majesty's Government and myself the best way open to us to give India the opportunity of deciding her destiny. We are well aware of the difficulties to be overcome but are determined to overcome them. I can certainly assure you that the Government and all sections of the British people are anxious to help India, which has given us so much help in winning this war. I for my part will do my best, in the service of the people of India, to help them to arrive at their goal, and I firmly believe that it can be done.

It is now for Indians to show that they have the wisdom, faith and courage to determine in what way they can best reconcile their differences and how their country can be governed by Indians for Indians.

31. Nationalist Muslims Parliamentary Board Formed to Fight Election, New Delhi

The meeting of the nationalist leaders was held in New Delhi on 13 September 1945.

Tribune, 20 September 1945.

New Delhi, 13 September. The decision to set up a Nationalist Muslim Parliamentary Board to select candidates and conduct the forthcoming general elections was taken today by the Nationalist Muslim leaders assembled here. The Board will consist of 21 members having 8 representatives of Jamiat-Ul-Ulema and Muslim Majlis, 3 of Momin Conference and Krishak Proja Party each, 2 of Anjuman Watan and 5 of other parties.

Maulana Hussain Ahmed Madani¹ was elected Chairman of the Board.

The Parliamentary Board has been entrusted with the task of preparing an election manifesto. The Board will avail itself of the advice and support of Maulana Abul Kalam Azad who is expected in Delhi by the end of this month.

The meeting passed a resolution condemning the Government of India for having yielded to the Muslim League and holding the election so abruptly at a time when a number of Muslim patriots were in prison. The resolution criticised the undemocratic nature of the franchise on which the elections to the Central Assembly will be fought. The resolution further stated: 'This convention of various Muslim organisations feel that under the present circumstances only the voters of the wealthy and the Zamindar classes can be registered and there is no possibility of Muslim masses recording their votes. It is, therefore, apparent that there is a clear danger of more reactionaries being returned. But in spite of all these difficulties and handicaps this Convention considers it essential that the Azad Muslims should participate in all the elections of the Central Assembly in order to educate and guide the Muslim public opinion and protect the Indian Mussalmans from the ruinous policy of the Muslim League which is entirely a capitalist organisation and which has formed an alliance with the Imperialist Government to exploit the Mussalmans for their own selfish ends.

‘As the immediate object of these elections is to ascertain correct public opinion, this Convention emphatically demands that these elections be held either on adult franchise basis or at least on the basis of present provincial electoral rolls.’

¹ President, Jamiat-ul-Ulema.

32. Jagat Narain Explains Allahabad AICC Resolution

Statement issued by Jagat Narain Lal, the author of Allahabad AICC resolution against Partition (1942), Poona, 16 September 1945.

Leader, 17 September 1945.

I have since my arrival met Mahatmaji, Maulana Abul Kalam Azad, Sardar Vallabhbhai Patel, Pandit Jawaharlal Nehru, Dr Rajendra Prasad and some other members of the Working Committee. They have all given me a patient and courteous hearing. They have listened to my difficulties and objections at the various interpretations which have been put in the shape of rulings, statements, interviews and correspondence over my Allahabad resolution. I have listened to their points of view as well as tried to follow them as attentively as I could.

I came in no mood to challenge the Working Committee but to urge my point of view and place my grievance before every member of it, particularly before Maulana Sahib and Panditji whose recent statements have created a good deal of alarm and misunderstanding in many quarters.

I have done and I am doing so. I have not only tried to impress upon them that my resolution, definite and positive as it is, leaves no room for any declaration that any part or unit of India can be permitted to secede if it decides by a majority of votes after a general plebiscite to do so, but I have also emphasized the fact that nothing could be more fatal and suicidal for the cause of India's unity and nationalism than that of lending the support of the Congress to, and encouraging fissiparous tendencies which have become so highly developed, to assume a still more alarming shape on the eve of impending constitutional changes in the country.

It is the third party which has encouraged those tendencies from the very beginning and has helped them to take so acute a shape during the last few years of the political deadlock and embitterment. It is they who have raised the ghost. It is for them to fight or bury it. Why should the Congress lend its own moral prestige or support to it and make itself responsible for that internal strife and bitterness which must inevitably follow if any scheme of separation is put into effect?

Some of the top leaders of the Congress feel that once the right of self-determination is conceded, groups and sections clamouring for it will themselves realise the futility of separation and refuse to exercise the right.

But they fail to see that we are an enslaved nation living under centuries of foreign domination, which has brought about this difficult situation for us, and during whose continuance groups and communities which have been spoilt and pampered, will never have the capacity to exercise a voluntary choice arrived at by calm and dispassionate reasoning.

I hope and pray that the collective judgment of the Working Committee may have the wisdom and the foresight to foresee the impending danger and to avoid it by refraining from any further so-called clarification and interpretation of my clear resolution.

I shall not just at present discuss the much-abused and much-talked of right of self-determination whose origin, history and limitations are very little realised and understood by those who advocate and talk of it.

It (Pakistan) is a double-edged sword which cuts those who use it and those as well, against whom it is employed.

33. British Prime Minister's Broadcast of India, 18 September 1945

GOI, Home Dept, Poll (1) Branch, File No. 97/45, Poll (I), NAI. Also N. Mansergh (ed.), *Transfer of Power 1942-47*, Vol. VI, pp. 270-71.

The King's speech at the opening of the new Parliament contained this passage:

'In accordance with the promises already made to my Indian people, my Government will do their utmost to promote in conjunction with leaders of Indian opinion early realisation of self-government in India.

Immediately after assuming office the Government turned their attention to Indian affairs and invited the Viceroy to come home in order to review with him the whole situation, economic and political. These discussions have now concluded and the Viceroy has returned to India and has made an announcement of policy.

You will remember that in 1942 the Coalition Government made a draft declaration for discussion with Indian leaders, commonly known as the Cripps offer. It was proposed that immediately upon the cessation of hostilities steps should be taken to set up in India an elected body charged with the task of framing a new constitution for India. Sir Stafford Cripps took that offer to India, but was unfortunately not accepted by the leaders of Indian political parties; the Government are, however, acting in accordance with its spirit and intention.

The first step necessary is to get as soon as may be as democratic a representation of the Indian peoples as possible. The War has in India as in this country prevented elections being held for a long time, and the Central and Provincial Legislatures must now be renewed. Therefore, as has already been announced, elections will be held in India in the coming cold weather. Electoral rolls are being revised as completely as time permits and everything possible will be done to ensure a free and fair election.

The Viceroy has today made known our intention to follow the election by positive steps to set up a constituent assembly of Indian elected representatives, charged with the task of framing a new constitution. The Government has authorized Lord Wavell to undertake preliminary discussions with representatives of the new Provincial Legislatures, as soon as they are elected, to ascertain whether the proposals of the Cripps offer are acceptable as they stand, or whether some alternative or modified scheme should be preferable. Discussions will also take place with the representatives of Indian States.

Government has further authorised the Viceroy, as an interim measure, to take steps after the elections to bring into being an Executive Council, having the support of the main Indian Parties, in order that India may deal herself with her own social and economic problems, and may take her full part in the working out of a New World Order.

The broad definition of British policy towards India, contained in the declaration of 1942, which had the support of all parties in this country, stands in all its fullness and purpose. This declaration envisaged the negotiation of a treaty between the British Government and the constitution-making body. The Government is giving immediate consideration to the contents of such a treaty.

It can be said here that in that treaty we shall not seek to provide for anything incompatible with the interests of India. No one who has any acquaintance with Indian affairs will underestimate the difficulties which will have to be surmounted in the setting up and smooth operation of a constitution-making body. Still greater is the difficulty which will face the elected representatives

of the Indian people in seeking to frame a constitution for a great continent containing more than four hundred million human beings.

During the war Indian men fighting have in Europe, Africa and Asia played a splendid part in defeating the forces of tyranny and aggression. India has shared to the full with the rest of the United Nations the task of saving freedom and democracy. Victory came through unity and through the readiness of all to sink their differences in order to attain the supreme object, Victory.

I would ask all Indians to follow this great example and to join together in a united effort to work out a constitution which the majority and minority communities will accept as a just and fair constitution, in which both the States and the provinces can find their place. The British Government will do their utmost to give every assistance in their power, and India can be assured of the sympathy of the British people.'

34. Congress and Election

Azad's statement at a press conference Bombay, 20 September 1945.

GOI, Home Dept, Poll (I) Branch, File No. 97/45, Poll (I), NAI, and *Bombay Chronicle*, 21 September 1945.

The Government could have, if they wanted, brought the Central Assembly to the same basis as the provinces in regard to franchise. But Government did nothing in this regard though a Provincial Governors' conference was held. There is a meaning in our contesting provincial elections, but there is no meaning in our contesting the elections to the Central Assembly, as it does not lead to any change in Government.

We came to the conclusion that we cannot afford to boycott these elections. On the contrary, it is imperative that we must capture as many seats as possible, so as to demonstrate the strength behind our demand for immediate transfer of power.

In all provinces, except Bombay, no serious effort has been made to revise the electoral rolls prepared in 1941 and bring them up-to-date. In this connection, I would ask the Governors of other provinces to copy the example of the Bombay Governor who has announced his Government's decision to completely revise the electoral rolls so as to bring them up-to-date. I must ask the Governors of other provinces to do likewise if the elections are not to prove a joke.

Another important point on which the Congress feels very strongly is the one relating to disqualification arising out of imprisonment. Some friends who came from Sind told me that the Sind Government had expressed its inability to remove disqualifications arising out of imprisonments, extending over two years during the 1942 movement. We must ask the British Government and Lord Wavell to adopt a unified policy in this regard and remove immediately such disqualifications.

This is a serious hurdle in the way of the Congress and the Government must remove this without any delay.

I must also ask Government to create a new atmosphere by releasing all political prisoners irrespective of whether they have been connected with the 1942 movement or not. I wrote to Lord Wavell on 16 July stressing the need for the Government of India to release all prisoners. Since then many prisoners have been released, but there are still many behind prison bars.

Furthermore, bans and restrictions on political activities continue in many parts of the country. These are not conducive to create the proper conditions and atmosphere for conducting a free election. I have often emphasized that if a ban or restriction remains on any part of the Congress organisation, such as the Congress Socialist Party, then it means the ban on the Congress still

remains. The Congress cannot conduct its election campaign with certain parts of it still under ban and restrictions. The Congress must therefore, demand the removal of all bans and restrictions.—API.

35. Let us First Enjoy Festival of Azadi

Statement by A.M. Khwaja. President All India Muslim Majlis, New Delhi, 21 September 1945.

Leader, 22 September 1945.

I do not believe in conundrums in politics. My politics have always been plain, simple, free from ambiguity and easily understandable. My view upon the question of self-determination could be ascertained from the perusal of the aims and objects of the Muslim Majlis and my reply to Dr Ambedkar's press statement last year.

I have, times out of numbers, made it plain that unless Mr Jinnah is prepared to concede the right of self-determination to all those who are in a minority it does not lie in his mouth to talk of self-determination. If Sunnis, who form the bulk of Muslims in India, have got the right of self-determination, on what principle can it be denied to the Shias or the Ahmedias or any other religious group?

Again, if Muslim Leaguers have the right of self-determination, why have not the nationalist Muslims the same right? In other words if a section of Indian population, by whatever designation it may call itself, has the right of self-determination, then has not India as a whole got that right first? India as whole wants freedom and unity and is entitled to demand the same under the principles of self-determination.

Even the Leaguers profess that they are for complete Independence of India. Let, therefore, all Indians strive first to secure the complete independence of the common mother land. It would be after the freedom is secured that the question of partition could arise.

On the question of partition there are three groups, one, namely the Congress, says, that it shall never agree to the partition of India. At the other extreme is the group of Mr Jinnah who say that they would not let the British quit India until they have actually partitioned it and given separate possession to them of the portion named by them as 'Pakistan'.

On the middle path, which I maintain is the true path, are those Muslims who say that as a matter of principle the right of self-determination must be conceded, but as a matter of practical politics let every Indian, without the distinction of caste, colour and creed, first breathe the pure air of freedom and enjoy the real common festival of Azadi in the sincere brotherly embrace, as is done on the Id day and make genuine efforts to realise the principle of the common motherland for say fifteen years which cannot be said to be an unbearably long period in the life of a nation.

If at the expiry of that period any unit of the federation of India should desire to separate, it shall have the right to do so. The Jinnahites, whose hearts as depicted in the holy Quran are filled with fear of the Hindus, say that once they have lived in a united free India it would be impossible for them to secede even if they wanted to do so. Although such a mentality of fear is unworthy of Muslims, I am prepared to concede that the Jinnahites are genuinely apprehensive. I would therefore suggest that it may be provided in the constitution that on the expiry of fifteen years from the date of coming into force of the new constitution, such and such province would be deemed to have seceded unless those provinces themselves declare for continuing within the federation.—API.



36. (i) Summary of Proceedings of the Working Committee Held at Simla During 3–15 July 1945

Indian Annual Register, 1945, Vol. I, pp. 225–26.

A meeting of the Working Committee was held at Simla from 3 July to 15 July. Maulana Abul Kalam Azad presided. The members present were Sarojini Naidu, Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad, Pattabhi Sitaramyya, Asaf Ali and J.B. Kripalani. Gandhiji was present at some of the sittings of the Committee.

The Congress invitees to the Simla Conference were often called for consultation to the Committee meetings.

The Working Committee heard from the Congress President an account of his conversations with the Viceroy and the stand he had taken at the conference in regard to matters that came up for elucidation and discussion therein. The Committee then proceeded to frame a list of the names they would suggest for the Executive Council. They decided to suggest names for the entire Executive Council. In suggesting names they tried to give representation to as many minority communities as possible. The list was sent to the Viceroy along with a covering letter which explained the principles that had guided the committee in selecting names for the proposed Executive Council.

The Working Committee passed the following resolution:

The Working Committee welcome the efforts that have been made by the United Nations to build up an international order to maintain peace and security and to develop friendly relations among the nations based on respect for the principle of equal right and self-determination of peoples. While appreciating the work of the San Francisco Conference in this respect and realising that any world organisation must of necessity be related to the realities of today, the Committee regret that the position allotted to the smaller nations in the Charter is one lacking all effectiveness and the Great Powers not only dominate and completely control the new organisation but are placed above and beyond the law they have themselves helped in framing. These Great Powers have indeed strengthened and consolidated their own position in the world and have shown no inclination to give up their colonial possessions and the special powers and privileges they enjoy at the expense of dependent peoples. According to the Charter as framed, the world organisation will only be effective when none of the Great Powers are interested in the dispute. Where there is such an interest, as there is likely to be in most international disputes, a Great Power veto will prevent any action being taken.

The Committee especially regret that the declaration regarding non-self-governing territories is vague and unsatisfactory and is little better than the old mandate system of the League of Nations which was a signal failure in the past. The discussion in the San Francisco Conference on the object of trusteeship, and in particular, the strenuous objections raised by some Powers to the use of the word independence, are evidence of the fact that imperialist Powers are still functioning in the old imperialist way and intend to retain and exploit their colonial possessions. The Committee are of opinion that a full and frank recognition of national independence, within the framework of the international order of colonial territories is necessary to give reality to the purposes and objectives of the new organisation and to lay the foundations of a stable peace.

The Committee have noted that the delegates from India to the San Francisco Conference represented the alien government and in no way the people of this country, and their attitude towards problems affecting India and other dependent and colonial territories was often opposed to the policy of the Indian people. Such representation at international conferences is an affront to India and is likely to mislead foreign nations. The fact of dependence on foreign authority has

resulted in giving her an anomalous and degrading position in an organisation of sovereign States and deprived her of a permanent seat in the Security Council of the new organisation, which is her rightful due. Both for national and international reasons, India must attain the status of an independent and sovereign State, having a place in the highest councils of the nations, and in a position to contribute to the maintenance of peace, security and freedom.

36. (ii) Summary of Proceedings of the Congress Working Committee,
Held at Poona 12–18 September and at Bombay,
21–24 September 1945

Indian Annual Register, 1945, Vol. I, pp. 227–29.

A meeting of the Working Committee was held in Poona from 12 September to 18 September and again in Bombay from 21 September to 24 September, 1945. Maulana Abul Kalam Azad presided. The members present were Sarojini Naidu, Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad, Pattabhi Sitaramyya, Shankar Rao Deo, Govind Ballabh Pant, Prafulla Chandra Ghosh, Asaf Ali and J.B. Kripalani.

Gandhiji was present at the afternoon sittings of the committee.

Khan Abdul Gaffar Khan, Bhulabhai Desai, Rajagopalachariar, Gopinath Bardoloi, Kiran Shankar Ray were present by special invitation.

The following resolutions were recommended for adoption by the AICC:

(1) Condolence. (2) The struggle of 1942 and after. (3) Congress Policy. (4) Viceregal proposals and Elections. (5) National Army. (6) Financial Commitments made by the present Government not binding. (7) Assembly Elections Committee. (8) Election Manifesto. (9) Sterling Balances. (10) Revision of Congress Constitution. (11) China and South-East Asia. (12) Indian Interests in Burma and Malaya. (13) Affiliation of the Anjuman-e-Watan of Baluchistan. (14) Constructive Programme. (15) Indian States.

(For text of the resolutions see AICC Proceedings)

The Committee passed the following resolution:

United India and Self-Determination

As some misapprehensions have arisen in regard to certain resolutions of the AICC and of the Working Committee passed in 1942 relating to the further constitution of India, the Working Committee restates the position as follows:

In accordance with the August 1942 resolution of the AICC it will be for a democratically elected Constituent Assembly to prepare a constitution for the government of India, acceptable to all sections of the people. This constitution, according to the Congress view, should be a federal one, with the residuary powers vesting in the units. The fundamental rights as laid down by the Karachi Congress, and subsequently added to, must form an integral part of this constitution. Further, as declared by the AICC at its meeting held in Allahabad in May, 1942, the Congress cannot agree to any proposal to disintegrate India by giving liberty to any component State or territorial unit to secede from the Indian Union of Federation. The Congress, as the Working Committee declared in April 1942, has been wedded to Indian freedom and unity and any break in that unity, especially in the modern world when people's minds inevitably think in terms of ever larger federations, would be injurious to all concerned and exceedingly painful to contemplate. Nevertheless, the Committee also declared, it cannot think in terms of compelling the people in any territorial unit to remain in an Indian Union against their declared and established will. While

recognising this principle, every effort should be made to create conditions which would help the different units in developing a common and co-operative national life. The acceptance of the principle inevitably involves that no changes should be made which result in fresh problems being created and compulsion being exercised on other substantial groups within that area. Each territorial unit should have the fullest possible autonomy within the Union, consistently with a strong national State.

(1) Correspondence between the Congress President and the Viceroy: Publication of the correspondence that passed between the Congress President, Maulana Abul Kalam Azad, and Lord Wavell during and after the Simla Conference was considered. It was decided that in view of the desire of Lord Wavell, Chairman of the Simla Conference, that correspondence relating to the Simla Conference should be treated as confidential, the correspondence be circulated as a confidential document among members of the AICC.

(2) Disciplinary action and the Communist Party:

Complaints received in the AICC Office regarding the hostile activities of the Communist Party during the August struggle and their open defiance of the Congress Policy as embodied in the August Resolution were placed before the Committee. It was decided that a committee consisting of (1) Pandit Jawaharlal Nehru, (2) Sardar Vallabhbhai Patel and (3) Pandit Govind Ballabh Pant be formed to go into the charges of indiscipline brought against the Congress members of the Communist Party. The Committee was required to submit its report, if possible, before the AICC meeting.

(3) Constitution Sub-Committee:

In view of the events which happened in the country since August 1942, temporary revision of the Congress constitution to meet the present contingency was called for. The Working Committee appointed a Sub-Committee consisting of Babu Rajendra Prasad, Dr Pattabhi Sitaramayya and Pandit Govind Ballabh Pant to suggest necessary changes and amendments of articles in the constitution, to facilitate fresh elections in the near future.

(4) The AICC Office: The budget for the AICC office was presented and sanctioned.

(5) Confiscated Funds:

The General Secretary reported to the Committee that the AICC funds amounting to about Rs 70,000 were confiscated by the Government of Bombay in 1942 after the declaration of the AICC as an illegal body. It was decided that Shri Bhulabhai Desai should take necessary steps, legal or otherwise, for the restoration of the confiscated funds.

(6) Desai-Liaquat Pact:

The General Secretary placed before the Committee the letter he had addressed to Mr Bhulabhai Desai in regard to the statement which Nawabzada Liaquat Ali Khan had issued to the press in connection with Desai-Liaquat Pact. The Working Committee concurred in the view expressed in the letter that Nabzada's statement was at variance, in material particulars, with the facts as placed before the Committee by Shri Bhulabhai about the Pact. Shri Bhulabhai told the Committee that he would issue a statement setting forth the correct facts.

(7) The AICC Fee:

The following decision was taken on the subject:

In terms of the constitution, members of the AICC are required to pay a fee of Rs 10 annually. This fee has not been paid since 1942. In view of the abnormal political conditions during the last three years the Working Committee had decided to remit fees for these years. The AICC members will however be required to pay the AICC dues for the current year.

(8) Dr Mahmud's Resignation:

Dr Mahmud's resignation dated 10 September 1945 was placed before the Working Committee. The Working Committee accepted the resignation.

The Working Committee met again in Bombay from 21 September to 24 September.

The New Proposals of the British Government and the Elections

The Committee had passed a resolution on Assembly Elections at its meeting in Poona. After the broadcast of Lord Wavell and the British Prime Minister on the steps proposed to be taken by the British authority in India after general elections, this resolution of the Working Committee needed to be recast and revised. A fresh resolution was therefore adopted by the Working Committee for recommendation to the AICC. The Poona Resolution on Elections was consequently withdrawn.

(For text of the resolution see AICC Proceedings)

The Committee passed the following resolutions:

Demobilisations and Use of Camps etc.

The end of the war has suddenly brought many problems to the forefront, among them being the provision for suitable employment of demobilized soldiers. It is not only necessary to find gainful employment for them in such a way as not to throw others out of employment, but also to use their services, as trained men and women, for work of national reconstruction. This work, as all other large-scale activity, requires careful planning and adjustment. The resettlement policy and programme of the present Government are unsatisfactory. They have to be shaped in such a way as to fit in with other schemes of national development, and to afford the persons concerned an opportunity to be absorbed harmoniously in the national life of the country.

While the demobilisation of the armed forces has yet to begin, the demobilisation of labour, especially employed for war work, has already started. Involving as this does millions of workers, there is danger of large-scale unemployment, and injury to the economic structure, unless immediate steps are taken to absorb these workers, as they are released, in works of national importance. From the social and economic viewpoint also it is harmful and wasteful of the nation's resources not to use trained and skilled workers.

Further the large number of well-equipped hospitals, built all over India under the lend-lease system or otherwise, will not be required for military purposes. As hospitals are urgently needed in India for civilian use, all these hospitals should be handed over to suitable civilian authorities and public organisations, as soon as the military vacate them.

During the past five years of war, large numbers of training camps, transit camps, rest camps, farms and dairies, store sheds, factories and workshops have been constructed all over the country, with good roads, bridges and sometimes railway lines leading up to them. They are situated on healthy sites and their sanitation and drainage system have been carefully attended to. A vast sum of money, amounting to hundreds of crores of rupees, had been spent on them, and every effort should be made to utilise these buildings, camps etc. for objects of public benefit. In particular, these buildings, etc. can be used, with suitable alterations, for educational establishments, hospitals, libraries, reading rooms, co-operative societies, village panchayats, sanatoria, health centres, recreation rooms, gymnasia, granaries and innumerable other purposes. They could also be used for housing purposes. In these and other ways they can be of great help in improving village life and rehabilitating many of our villages.

In order to use these camps and buildings to the best advantage and to prevent any deterioration in them, in case they are left vacant, the Working Committee are of opinion that immediate steps should be taken to consider this question in all its aspects.

Defence Committee for INA

In view of the forthcoming trial by court martial of some officers and men belonging to the Hindustan Azad Fauj (Indian National Army), formed in Burma and Malaya, the Working Committee resolves that defence committee consisting of Sir Tej Bahadur Sapru, Shri Bhulabhai Desai, Dr Kailash Nath Katju, Shri Jawaharlal Nehru, Shri Asaf Ali (convenor) and Shri Raghunandan Saran with powers to co-opt, be formed to take all necessary steps for the defence of the officers and men and women of the INA, or of like forces, who may be brought up for trial.

37. Issues Before All India Congress Committee

Kamaladevi Chattopadhyay's article, *Leader*, 22 September 1945.

The return of the Indian National Congress to normal activity marks a new epoch in the history of India and the most decisive phase in that of the freedom movement. The hour of confabulations and conferences, speeches and debates, is gone. The people are in no mood to tarry over explanations and apologies. They will not stand for cajoling or coercion to turn them away from their direct and clear objective of immediate freedom. Neither the past nor the present admits of any such shelving of so crucial a purpose. The British Government has repeatedly assured the people that the Cripps offer stands and with the termination of the war, necessary steps will be taken to implement it. Similar pledges given during World War I had remained unfulfilled when War II struck the world. The Allied rout in Europe and the rapid collapse in the East, with the impending threat to India, ultimately forced Churchill's Cabinet to send out Sir Stafford Cripps as an emissary with proposals for an interim settlement as well as a general outline for the more permanent long-term one. Not only was the spirit behind the offer tawdry and halting, but the proposals were themselves empty and hollow. Yet even these could be rung out of the British Cabinet only under the menacing shadow of a very grave disaster. Even they were circumscribed by great limitations.

How little the administration needed to depend on India's willing and wholehearted cooperation in the war has been amply borne out. Obviously, when you can get what you want by force, why yield any of what you can hold on to? That this meant trampling upon the feelings and sentiments of millions, the imposition of an administration whose outrageous incompetency was only matched by its callousness, these factors were obviously of little concern to a regime petrified by greed and acquisitiveness over centuries, whose only standard of measurement has been the volume of exploitation.

Today, even the military imperative of 1942 has been removed. The war has come to a close and with it has come a reshuffling of the scene. So far as Britain is concerned, she faces today almost as great an economic crisis as the military one she faced in 1942. She is as dependent today on India as she was then. Today, more than ever, India has become absolutely indispensable to Britain's present and future, her one sure means of economic prospects. For if Britain has to import in order to live, she has to export even to survive. And India is her command export market. It is against this very realistic background alone that we can speculate on her future policies and relationship in India. To minimize this factor to indulge in sort of wishful thinking that we often do is to court disaster by yielding to false anticipation and making the wrong moves. One of the Labour party's pledges to the people is the stabilisation of England's economy in the present competitive world. India is indispensable for stabilisation of the imperialist economy. The only alternative is complete socialism in England which would be implicit liquidation of empire. We

see no sight of this in the new British Government's policy. True, it has plans for nationalisation, but that in itself means nothing as it can be even a feature of a fascist regime. The test of socialism in a ruling country is only one—abandoning of imperialism. It is pretty obvious the Labour Government has no more desire to do than had Churchill. Socialism at home and imperialism abroad is an utter fallacy. We may as well talk of daylight 'flooding the night'.

The new Government has so far neither said nor done anything to arouse high hopes in us. If some Indians have run away with grand expectation from Labour the responsibility cannot be laid at Labour's door but at their own illusions. Those who miss a fight miss its inspiration and exhilaration. Those who are forced into it by circumstances grow frantic finding ways to keep out of it. It is mainly those who talk of 'Defeat' and 'Frustration' and clamour for compromise even when the other party shows no indication of similar desire.

Compromise is a formula arrived at by both the parties conceding something of what they desire to have. Where India and Britain are concerned at the moment, with the parties' clear desire to hold on to the empire, the compromise can only mean India's economic subordination to England as the price of what paltry political concession she may win. Even these are vague at the moment.

It is in this setting that the All India Congress Committee meets to take its decisions. These are of more than ordinary import for the need for self-rule has become more compelling than even after all the horror of the past three years and the impending disaster that still continues to menace even the immediate future. The political events that face us can therefore be measured by only one standard, will they prove to be the weapons that will bring freedom closer and quicker. One such impending event is the coming general election. The issue is not merely whether the Congress should participate in the election or not, but how they become the instrument of our achieving the objective. While the Working Committee's resolution on this goes into a clear analysis of the subject, it fails to give any indications as to our immediate objective. In the old days parliamentary elections were accepted as good propaganda planks for mass education, for our legislatures were not much better than a debating forum. But today people want no more of such. They want real power. In 1937 we went in to extend our struggle to other spheres and bring matters to a head. Today that stage has been left behind. Now we can make our moves with only one purpose, the carving of a free India, functioning under its own constitution and controlling its own economy. Any other considerations with regard to the elections is meaningless and futile. It is absolutely imperative and the All India Congress Committee must clarify this if the elections are to be made meaningful and pregnant with import to the people. Without it, elections will seem only like a merry go round in which every opportunist and grabber for publicity can get a joy ride for a small fee.

This clarification is all the more necessary as it is obvious that the British Government is definitely playing for time. Had the Labour Government been serious about India it would have forthwith taken steps to go ahead with the election of the Constituent Assembly for framing the new constitution on the basis of adult franchise or at least as near it is possible. As it is, these elections are fought on a hopelessly restricted franchise enjoyed by a meager 23 per cent, or so. For the Centre it is even more anti-delusion. All this for a start augurs no good for the future. The Constituent Assembly as described in Cripps Offer is most unattractive with heavy weightage for feudal interests such as Indian Princes with the States people completely ignored; in short the alignment of forces was so arranged as to weaken the people's representative forces. This picture in the past three years has become even more out-moded by the march of events in India and the world. We are entering our Parliamentary programme committed to this, if not what is the alternative we demand and stand for? What is our conception of the nature and composition of the constituent assembly?

The other issue which is agitating our mind at the moment is united India or divided India? In this connection, we must realise one important fact that this issue in the present context is really very unreal until the foreign conqueror, the third party, relaxes his hold and leaves the issue straight and clear. For this tangle has mostly been wrought by our rulers. They favoured the Hindus and carried on regime with their collaboration. But with the political advance in that section they turned to the Muslim section, creating a collaborationist block out of them. Then onwards it has been a game of playing off one against the other. The evil was further intensified by the injection of poison of separate electorate of which Pakistan is the logical culmination.

The communal conflict therefore is not just a fight between two communities, but a factor created and built up over decades for the perpetuation of third party rule in this country. Unless that factor is eliminated it is not possible for people to feel or think normally and then appraise the real relationship of the one to the other. Hence the precedence of the freedom issue over all else and the clear realisation that the real problem is the struggle against the foreign power.

But if we are to fall back upon compromise with the British and modify our stand on complete independence then the unreal issue of Pakistan has to be taken into account for a Congress-League or some sort of Hindu-Muslim understanding becomes a pre-condition to any Indo-British settlement. In fact, it is because this pre-condition makes the thing move in a vicious circle without getting us anywhere that it is insisted upon by our rulers. So a compromise agreement with Britain cannot avoid a simultaneous embroilment in the Pakistan issue. Hence the strength and clear cut position as embodied in the 1942 Quit India resolution.

There is a great deal of indulgence in loose phrases and slogans such as self-determination and plebiscite for minorities. We are very apt to pick and repeat such terms when they float in from abroad. Where they are applied in other countries it is to national minorities whereas the Muslims are Indians first and last.

The association of such political measures as self-determination and plebiscites in regard to a selection of Indians on grounds of religion or caste is unscientific and therefore unreal. At the same time, it releases dangerous possibilities, for by implication it is an unconscious admission of the two-nation theory with the prospect of the gravest complications for the future. Political and social autonomy for cultural groups must not be mixed up with sovereign rights for different religious groups. A logical pursuing of such measures would lead to the chopping up of India or any other country into numerous bits and would result in political and economic disaster, not to speak of the development of social values on old outmoded, medieval instincts.

38. Important AICC Resolutions: Bombay 21–23 September 1945

AICC Papers, File No. 1/45, NMML.

The Struggle of 1942 and After

The AICC at its first meeting after more than three years of wanton suppression by the British Government, desires to convey its greetings and congratulations to the nation for the courage and endurance with which it withstood the fierce and violent onslaught of the British Power, and its deep sympathy to all those who suffered during these three years of military, police and ordinance rule. The Committee regrets that in some places the people forgot and fell away from the Congress method of peaceful and non-violent action, but realises that the provocative action of the Government in effecting sudden and widespread arrests of all well-known leaders, and brutal and ruthless repression of peaceful demonstrations, goaded them to rise spontaneously to resist the armed might of an alien Imperialist Power which was trying to crush the spirit of freedom and the

passionate desire of the Indian people to gain independence. The earnest appeal made by the AICC, at its last meeting held on 8 August 1942, for creating conditions necessary for full co-operation with the United Nations in the cause of world freedom was ignored and the suggested attempts to solve the Indian problem by negotiation were answered by the Government by an all out attack on the Indian people and by subjecting an unarmed India to many of the horrors of war which accompany an invasion. Three years of frightfulness have left their long trail behind them, of death and agony and suffering and avoidable man-made famine which took its toll of millions of lives, and an administrative system which is full of corruption and incompetence, totally incapable of handling or solving India's problems. Yet these years have also demonstrated the course of the Indian people to meet governmental repression and have steeled and hardened them in their resolve to gain freedom and deliverance from foreign rule.

The World War is happily over, but its long shadow still darkens the world and prospects of future wars are being considered. The appearance of the atom bomb as a weapon of war, with its frightful and horrible powers of destruction, has brought to a crisis the immoral and self-destructive elements of the present-day political, economic and spiritual structure of the world. Civilisation is likely to destroy itself unless it gives up its imperialist and acquisitive tendencies and bases itself on the peaceful co-operation of free nations and on the maintenance of the dignity of man. The end of the war has brought no freedom to the colonial and dependent countries; and the Imperialist powers are again engaged in the old contest for dominion over others.

The AICC reiterates its national and international objectives, laid down in its resolution of August 8, 1942, and its conviction that the independence of India is essential for world peace and must be the basis for the freedom of Asiatic and other dependent nations. The independence of India must be unequivocally recognised and her status among the United Nations must be that of an independent nation, co-operating with others on an equal basis for the establishment of a world order of peace and freedom.

Congress Policy

The Congress, from its earliest beginning sixty years ago, has tried to win Swaraj for all the people of India. But the content and implications of the word 'Swaraj' have progressively varied with the march of time as also the people towards their goal. So have the means. Thus Swaraj at one time meant self-government of the people under the tutelage and fostering care of the British Government in India. The means were strictly legal and constitutional. As efforts so circumscribed proved insufficient, violence was resorted to from time to time, but this was sporadic, unorganized and secret. At each stage the Government of India responded reluctantly and in a niggardly manner with some sort of reform accompanied by repression, leaving behind on every occasion a legacy of increasing discontent.

In 1920 the Congress became a mass organisation, basing its methods of action on peaceful and legitimate means, and adopted a revolutionary programme of progressive non-co-operation, including civil disobedience, which was confined in certain circumstances to individuals or groups or areas and to the redress of certain grievances. At each stage more and more people began to join the struggle for freedom. In 1929-30 the Congress finally defined Swaraj as complete independence for India, and ever since 1930, 26th January has been observed as Independence Day when the pledge for Independence is reaffirmed.

In August 1942, the urgency of the situation and the perils that confronted India led to a programme of immediate severance of the British connection being conceived, and this was to be adopted if the method of negotiated settlement failed. The resolution to this effect had hardly been adopted by the AICC late at night, when in the early hours of the following morning, the

members of the Working Committee, the AICC and other Congressmen and Congresswomen were arrested in Bombay and all over India and other repressive measures were adopted by the Government. The people stunned, leaderless and incensed gave vent to their just anger in the manner they thought best, both violently and non-violently, but the governmental violence in every case put the popular acts of violence into the shade. As a result, military rule on a scale never before known in India became an established fact and sought to choke the voice and liberty of the people.

In June 1945 the British Government in India released the members of the Working Committee and convened a small and, what was intended to be, a fairly representative conference for the purpose of forming an interim National Government. It was understood that any decision arrived at by the conference would be acted upon by the Government. Suddenly, however, the Chairman of the meeting, in the person of the Viceroy, brought the proceedings to an end, not because there was no general agreement among the members but because one of the participant groups would not co-operate in the formation of an interim government. No charge, veiled or open, has been or can be brought against the Congress for the break-up.

The noteworthy fact is that throughout all these events the yearning of the people for Swaraj has increased; they have become more and more awakened to the need for freeing themselves from the foreign yoke; and the distrust of the foreign government, in spite of its professions to the contrary, has increased. It was hoped, as would now appear, against hope that although the conference broke up, as it did, the Government would carry out the promise read into the Viceregal declarations that an Indian National Government, giving effect to the voice of the people, would soon take the place of the anarchical one nominated by the Government. If that hope had been well founded, the Government would have, without any mental or other reservations, released all political prisoners, whether detained without trial or convicted under farcical procedure. Some releases have undoubtedly taken place but not in answer to popular demand and expectation. Many still remain behind prison bars. Bans on some organisations and restrictions and disabilities on individuals have not yet been removed and civil liberties are restricted. The continuance of Section 93 rule in the provinces and the recent dissolution of the legislatures in a number of provinces are significant and outstanding instances of the policy of the Government, which is determined to hold on to its authoritarian power and to exercise it arbitrarily and autocratically. It is not possible to derive and hope for the future in the shape of frank co-operation on the part of Government with the people in bringing them their long overdue freedom and independence.

The method of negotiation and conciliation which is the keynote of peaceful policy can never be abandoned by the Congress, no matter how grave may be the provocation, any more than can that of non-co-operation, complete or modified. Hence the guiding maxim of the Congress must remain: negotiation and settlement when possible and non-co-operation and direct action when necessary.

The Indian National Army

The AICC has learnt with concern that large numbers of officers and men and women of the Indian National Army formed in Malaya and Burma in 1942, as well as some Indian soldiers from the western fronts, are at present in various Indian and foreign prisons awaiting trial or other decisions of the authorities. In view of all the circumstances prevailing in India, Malaya, Burma and elsewhere at the time of the formation of this army and subsequently, and further in view of the declared objects of this army, these officers and men and women should have been treated as combatants and prisoners of war and discharged at the conclusion of hostilities. The AICC is, however, strongly of opinion that for other additional reasons of far reaching consequences and in

view of the termination of the war, it would be a tragedy if these officers, men and women were punished for the offence of having laboured, however, mistakenly, for the freedom of India. They can be of the greatest service in the heavy work of building up a new and free India. They have already suffered heavily and any additional punishment will not only be unjustified but will cause sorrow in innumerable homes and to the Indian people as a whole, and will widen the gulf between India and England. The AICC, therefore, earnestly trusts that these officers, and men and women of this army will be released.

The AICC also trusts that the Indian civilian population of Malaya, Burma and elsewhere who joined the India Independence League will in no way be harassed or subjected to any penalty.

The AICC further trusts that any sentence of death already passed on any Indian soldier or civilian in connection with any activities connected with the war will not be carried out.

Commitments of Present Government Not Binding

As it appears to be the policy of the British Government to obstruct and delay the formation of a people's National Government in India, it may take some time for such a government to function. During this period the present unrepresentative and irresponsible Government may enter into various kinds of commitments on behalf of India, which may not be in the interests of the Indian people and which may create shackles preventing growth and development. The AICC, therefore, informs the United Nations and all others concerned that the present Government of India derives no power and authority from the people of India and in no way represents them. It is imposed on the Indian people by alien power and authority and can in no way commit India to any agreement affecting the vital interests of the people. Should any such agreement be entered into, the people's representative government, on assuming power, will have the right and duty to examine it and, in the event of this being injurious to the interests of the Indian people, to refuse to be bound by it.

Election Manifesto

As it is desirable that a manifesto containing the policy and programme of the Congress be issued for the information of the public and the guidance of Congress candidates in the forthcoming general elections for the legislatures, resolved that such a manifesto be prepared by the Working Committee and placed before the AICC for consideration and adoption at a subsequent meeting. In the event of the election for the Central Assembly taking place before this meeting of the AICC, the Working Committee may issue a brief manifesto for these elections, the principal manifesto being issued later for the Provincial elections.

Sterling Balances

The AICC has noted that enormous credit balances due to India have accumulated and are kept in London in sterling. These balances are not available for utilization for India's own immediate needs of industrialization and general economic development. They have arisen out of the supply of goods and services provided by this country for Britain's war effort. The goods and services, which these balances represent, were obtained from India mostly at controlled prices, and the suggestions made in certain British quarters that the amount of these balances is inflated is contradicted by the actual facts, as recorded and admitted by a British Parliamentary Committee which recently investigated the subject. The British demand, therefore, for a scaling down of the amount is wholly unwarranted, and India cannot submit to any settlement of this problem which involves a sacrifice of her just claims and great injury to her future development. The AICC is of opinion that every effort must be made for an early settlement of the question of India's sterling balances so that they may be utilised for the planned economic development of the country.

The New Proposals of the British Government and the Elections

The AICC has carefully considered Lord Wavell's and the British Prime Minister's broadcasts on the steps proposed to be taken by British authority in India. These proposals repeat, with unimportant variations, the offer made in March 1942 by Sir Stafford Cripps on behalf of the British government, an offer which was not accepted by the Congress. Neither the end of the War nor the change of Government in Great Britain appears to have resulted in any real change in British policy towards India, which seems to be based on delaying every advance and in attempting to create new problems and fresh complications. It is significant that there is no mention in these broadcasts of the independence of India. Nothing short of Independence can be acceptable to the Congress and the country. The proposals now made are, in the opinion of the AICC, vague, inadequate and unsatisfactory.

The announcement that general elections will be held for the Central and Provincial Assemblies has been made in a manner and in circumstances which arouse suspicion. The sudden dissolution of the legislatures in some provinces has emphasised the hostility of the present governmental authorities to even the possibility of popular government in the meantime, and is totally indefensible. The Central Assembly is still governed by the Act of 1919. To continue such an impotent and undemocratic Central legislature, constituted on a franchise of less than one per cent of the population, can have no justification in the context of Indian freedom. If elections for the Central legislature are to be held they must at least be on a properly revised register, even though this might involve some little delay. In spite of assurances, the electoral rolls for the Central and Provincial Assemblies are not being properly revised.

Further, free and fair elections are hardly possible when several organisations, like the Congress Socialist Party, the Forward Bloc, and Kisan organisations are still under ban; when thousands are still held in detention without trial, or are undergoing sentences of imprisonment in connection with political activities; when in many places public meetings cannot be held without previous permission of the authorities; and when many persons are labouring under disqualifications arising out of their conviction for political offences.

It has become notorious that the present Government in India is responsible for the widespread corruption that prevails in the country, for the gross mismanagement of the food and cloth problem, and for the supreme tragedy of the Bengal famine. Yet it is declared that, pending elections, and for many months at least, this incompetent and corrupt administration shall continue its misrule. The proposals of the British government, become, in this context, still more significant indications of their desire to hold on to power in India as long as they possibly can and with all the means and methods at their disposal.

In spite of the handicaps that the Congress will labour under, as related above, and in order to demonstrate the will of the people, especially on the issue of the immediate transfer of power, the AICC resolves that the forthcoming elections be contested, and directs the Working Committee to take all necessary steps in this behalf. The Committee is confident not only that the people will respond to the call of the Congress on this vital and urgent issue, but will also, with the added strength and assurance that the past years have given them, carry the struggle for the independence of India to a successful issue in the near future.

China and South-East Asia

The AICC sends its greetings to the people of China and to the peoples of the countries of South-East Asia and expresses its deep satisfaction at the conclusion of the war which has ravaged these countries and caused enormous suffering and loss to their peoples. The Committee earnestly trusts that the people of China who have faced unflinchingly and with heroic steadfastness and

courage over eight years of horrible war and disaster, will rise to even greater heights in the years of peace to come and build up a nation united and strong of purpose for peace and freedom and closely allied to India and the other countries of Asia.

The AICC views with anxiety the attempts that are being made to maintain the political and economic subjection of Burma, Malaya, Indo-China and Indonesia. To continue imperialist domination over these countries, under whatever name or guise, would be denial and repudiation of the professions made by the United Nations during war time and would sow the seeds of future wars. India, desiring the freedom of all Asiatic, as well as other countries would deeply resent the continuation of an imperialist policy in South-East Asia. In particular, the AICC would take strong objection to the use of Indian troops in maintaining imperialist domination over any of these countries of South-East or Western Asia.

A free India will inevitably seek the close and friendly associations with her neighbour countries, and would especially seek to develop common policies for defence, trade and economic and cultural development with China, Burma, Malaya, Indonesia and Ceylon as well as the countries of the Middle East.

Indian Interests in Burma and Malaya

The AICC, believing as it does in the right to freedom of all countries, hold that the people of each country have the further right to develop their own resources in such manner and with such means as they think fit. Where Indian labour has been employed and Indian capital invested, the Committee considers that their just interests should be properly safeguarded with due regard to the primary claims and interests of the peoples concerned. All such problems should be considered by the representatives of the those countries and of India on a basis of mutual adjustment. No concessions should be given or new vested interests created by British authorities in favour of foreign capital in Burma and Malaya, which curtail the people of those countries or which injure existing Indian interests there. Trade relations of an enduring character, and problems relating to the movement of population can only be properly considered and settled by representative of free India, free Burma and free Malaya.

Affiliation of the Anjuman-e-Watan of Baluchistan

The AICC having considered the application of the Anjuman-e-Watan of Baluchistan for affiliation to the Congress, resolves that under Article XIX (b) of the Constitution, the Anjuman-e-Watan be affiliated. The Working Committee is authorized to consider and determine the terms and conditions for such affiliation and the representation to be granted in the AICC and the annual session of the Congress.

Constructive Programme

With a view to making the masses of India politically self-conscious, economically self-sufficient and capable of running the government of a free and independent India, it is necessary that they should be organised in all spheres of life on the widest possible scale. Such organisation can be effectively advanced through the fifteen-fold constructive programme of Mahatma Gandhi and an enlightened recognition of non-violence. This Committee therefore calls upon all subordinate Congress Committee and Congressmen to go on with the constructive programme and take such steps as may be necessary to give effect to it.

Indian States

The AICC offers its congratulation to those people of the State who have participated in the movement that followed the Resolution of August, 1942, and have faced with courage and the spirit of sacrifice the repression that followed.

The Committee notes with regret the continuance of repression even now in some of the States and hopes that the Governments concerned will take all necessary steps to release all political prisoners and detenus, withdraw all pending prosecutions and warrants of arrests and all restrictive orders of externment and other repressive laws, return confiscated properties and restore normal conditions.

Assembly Elections Committee

Resolved that an Assembly elections sub-committee be constituted to take such steps as may be necessary for selection of candidates and for organisation elections to the legislatures. The Committee shall consist of the following persons with powers to co-opt members from provinces for dealing with matters relating to their respective provinces. The Committee shall report to the Working Committee from time to time and be guided by its directions. The Committee will consist of the following members of the Working Committee:

1. Maulana Abul Kalam Azad, 2. Sardar Vallabhbhai Patel, 3. Dr Rajendra Prasad, 4. Pandit Govind Vallabh Pant, 5. Mr Asaf Ali, 6. Dr Pattabhi Sitaramayya, 7. Mr Shankar Rao Deo.

39. Press Reporting on AICC Sessions Held in Bombay on 21-22 September 1945 (i) Session Held on 21 September 1945

Bombay Chronicle, 22 September 1945.

Record Crowds at AICC Meeting

India's largest political party the Indian National Congress staged a political revival today that brought together a crowd which could easily have been totaled 2,50,000 persons. America or England rarely gets a chance to see so many people jammed into such a relatively small space solely for political reasons.

To hundred and seventy-five members of the All India Congress Committee from different provinces out of a total of 350 attended the session. The United Provinces led with the largest contingent numbering 23, while Bihar came a close second with 22. Members from other provinces were Bengal 18, Karnataka 17, Orissa 10, Gujarat 7, Maharashtra 9, Central Provinces 19, Punjab 6, Andhra 6, Tamilnad 2, NWF Province 2, Sind 9, Ajmer 8, Assam 2, Delhi 6.

The proceedings were declared open at 3 p.m. but loudspeakers' failure delayed the proceeding.

In the course of his unfinished speech Maulana Azad said that they had met three years ago in the same pandel. This was no occasion to expatiate at length on the events that had taken place since then because every moment a new story was unfolding itself before them. They marched on and did not pause.

Test in Crucible

But in the brief span of human life there were certain events which left indelible impressions. The events they had lived through during the last three years were of that kind. The story of these

three years had two aspects, one of grief and other of heroism. It had brought the quota of trial and tribulation but the same hardship had given rise to certain forces.

Maulana Azad cited an Arabic proverb which said that man was tested in the crucible of sufferings in the same manner as gold was tested in fire.

At this stage, the Congress President said that he would proceed with the speech at a later date as he was told he could not be heard.

He then called Acharya J.B. Kripalani to move the resolutions condoling the death of prominent Congress men including Dr C. Vijayaraghavachariar, former Congress President, Mrs Kasturba Gandhi, Begam Azad, Mr S. Satyamurti, Mahadeo Desai, Mrs Sarla Rani Chaudhury, R.S. Pandit, Dr P.C. Ray among others.

Why Not Bose

Swami Krishnananda (Kerala) asked the President why the name of Subhas Chandra Bose had not been included. Maulana Abul Kalam Azad replied that the name of Subhas Chandra Bose had not been included deliberately. The circumstances in which the date of the news had reached them and the sources responsible for announcement did not make it completely certain that Bose was dead.

The resolution was passed all standing.

Congress Constitution

General Secretary then moved a resolution touching temporary changes in the Congress Constitution. The resolution urged that a committee be formed to consider the question of the Congress Constitution and propose such amendments and addition to it as may appear necessary, in view of the fact that the Congress has not been able to hold its annual session after Ramgarh in 1940 and in view of the fact that events have happened during past few years which require that the Constitution of Congress be considered in its entirety.

The resolution sought that vacancies might be filled by co-opting by executive members of such committees provided that such members might be co-opted as had actively furthered the AICC resolution of August 1942 provided further that the persons co-opted need not be the member of the Congress in 1942.

Mr V. Rao suggested that the persons might be co-opted to fill vacancies in committees other than the AICC.

His suggestion was accepted and the resolution as amended was passed.

Patel Embraces Bose

As the proceedings were on Mr Sarat Chandra Bose climbed the rostrum, Sardar Patel who was with the AICC members embraced the Bengal leader. The touching scene evoked cheers from the visitor and the members of the AICC and the cameramen jostled forward. At one stage when Pandit Nehru and Sardar Patel were discussing with some members of AICC the loudspeakers sputtered and Pandit Nehru regretted the defects on the microphone arrangements.

1942 and After

After tea interval Pandit Nehru was called upon to move the resolution on the 'Struggle of 1942 and After' adopted by the Congress Working Committee at the Poona Session. Pandit Nehru found it impossible to proceed and after a brief consultation the Congress President announced that there was no alternative but to adjourn the session and the AICC session would meet again on Saturday at 2 p.m.

(ii) Session Held on 22 September 1945

Tribune, 23 September 1945.

India's Resolve to Win Freedom.

Bombay, 22 September. Heavy rains continued intermittently the whole of this morning and there was a sharp downpour just as the leaders were assembling at the AICC pandal.

Precisely at 2 p.m. Maulana Azad commenced the proceedings with an appeal to members to make every effort to put through the agenda expeditiously.

Pandit Jawahar Lal Nehru then moved the resolution 'Struggle of 1942 and After'.¹

Pandit Nehru's Speech

In moving the resolution Pandit Jawahar Lal recalled it was over the same spot. Since then, many events had happened, events which would contribute a glorious chapter to the history of the fight for India's independence.

He reminded the members how, when the leaders were still hoping to find a way out of the deadlock, they were faced with in August 1942, the Government arrested the leaders wholesale. This sent a wave of resentment throughout the country and he was proud of the manner in which the people reacted to the situation. The authorities came down with a heavy hand. Suppressive measures came, one over the other, and the entire might of the Government was turned on the people, but the spirit of the people, and Pandit Nehru remained unbroken.

Leaderless and without guidance from the quarters to which they were used to look for help, the people took the initiative into the own hand. 'How could you, and me, sitting here now, make judgment on their action. It is easy to criticize now, pick holes here and there to what they did.' Pandit Nehru said adding: 'I really do not know how I would have reacted if I had been out at that time.'

The people organised themselves, found their own leaders and methods. 'The events in Satara in Bihar, in Midnapore and elsewhere in Bengal and in the United Province have added a glorious chapter to the peoples' fight for independence' Pandit Nehru declared.

Government's Total War Against Congress

Seconding the resolution Sardar Patel recalled the resolution passed by the AICC in the same pandal in 1942 and described how that resolution could not be implemented. That resolution contemplated negotiation between Mahatma Gandhi and the Viceroy because the Congress was anxious to come to a compromise with the British Government. But this was made impossible by the Government's total war against the Congress, on the morrow of 9 August, when all the leaders and members of AICC together with thousands of Congressmen were arrested. The British Government in India then turned its might on the Congress and the people with a view to throttle them. What followed this brutal action of the Government is a matter of history and he did not wish to go into the details. When the history of the Congress movement of 1942 was written by the Congress, the full facts of what happened in 1942 would be known.

We Are After All Human Beings

Sardar Patel referred to Sir Richard Tottenham's pamphlet on 'Congress rebellion' and amidst cheers Patel declared that he agreed with the title of the pamphlet. There was a rebellion in India in 1857 and another in 1942 showing the will of the people to be free. Both the Congress and the Government were able to assess the strength behind the 1942 movement.

His contention was that the so called rebellion of August 1942 was not an organised one. Because if it was so there would have been no need for further struggle. As a matter of fact, in August 1942 the Congress did not start offensive because all the leaders were put in prison by a lightning stroke. The offensive of the Government was scandalised in intensity that the country in general rose in self defence. 'I can not see anything wrong in that, we are after all human beings.'

Sardar Ballabhbhai Patel referred to the Bengal famine and asked: 'Is there a single country except India where millions of people die of starvation and the Government escape without being held responsible for such a calamity. Lord Linlithgow, the then Viceroy, did nothing and did not even think it necessary to visit the famine-stricken province. Such a Government, I assert, has no right to exist.'

'No Hope for the World Unless ...'

Continuing the Sardar said, 'the war had now ended, the atom bomb had finished it. This had created a new situation and the Congress had to consider it in all different aspects. The discovery of atom bomb had demonstrated that all the might that a country might possess would be of no use in the face of atom bomb. Mahatma Gandhi had taught the Congress the principle of non-violence. He had always maintained meeting violence with violence could only produce anarchy. The culmination of efforts at creating greater and ever greater instruments of violence and destruction ending with the production of the atom bomb was a positive proof of this contention. Unless the world turned to non-violence, there was no hope.'

No Fruit Yet

Sardar Patel then warmed up and said that the 'Quit India' resolution passed by the Congress in 1942 stood and the Congress was not prepared to alter even a comma, of that resolution. Not only that, the Congress would soon have to say 'Quit Asia' instead of 'Quit India.' So long as there was no freedom in Asia there could be no freedom in the world. The Congress, therefore, determined to win freedom for India. They had worked for the last sixty years for winning the freedom of the country. So far they had not reaped fruit of their efforts. The Congress was now determined to secure India's freedom.

The people of India had demonstrated their strength during the last three years. This resolution was a fitting tribute to that demonstration.

'Where Are the People to Try Us'

Sardar Patel made a passing reference to the talk two years ago that those responsible for the 'Quit India' resolution would be tried. He asked, 'Where are the people who are going to try us? We wanted a trial, but those who were responsible for putting us in prison shunned an open trial. In fact these are very people who are on trial now. They have proved absolutely incompetent and utterly incapable of shouldering the responsibility for the Government.'

Reference to Sir Sikander's Declaration

During the War, said Sardar Patel, many people who had urged co-operation in the war effort had said that it was a people's war. The war was now over, but India was not free. If it was really a 'people war', would not India have attained it. Let freedom act a result of victory? But the talk of a people's war was only propaganda, even a prominent leader of the Punjab, like Sir Sikander Hyat Khan, had said that India would get her freedom at the end of the war. He had even gone to the extent of saying that, if India was not free at the end of the war, he would join the Congress in

its fight against the Government. The war was now over and India had not gained her freedom, but, unfortunately, Sir Sikander was no more.

The purpose of his referring to Sir Sikander's declaration was, he said, to demonstrate the futility of the contention made by those who asked the people of India to co-operate in the war effort. The country knew its real interests and faithfully followed the Congress. Thus, it demonstrated the strength behind the demand of the Congress for India's freedom. The Congress was today determined to achieve that object, 'No one can stop us now from securing our freedom. We are determined to have it and we shall have it.'

'Nothing Less than Complete Independence'

Acharya Narendra Dev, supporting the resolution, said that 1942 would remain a very glorious chapter in India's history. The August movement was an uprising for breaking the shackles of bondage. The people stood the test successfully and demonstrated that they could hold the reins of administration efficiently. In this movement, the illiterate and ignorant masses showed that they have more ability to wrest power than the educated. Had there been no resistance movement at that time, the country would have been in a slough for another thirty years more. The movement focused the eyes of the world on India and wherever the American globe-trotting Wendell Willkie toured in the East he was asked about the freedom of India. Indian freedom became the keystone of the arch of freedom of the world.

Referring to those who stood out of the August movement, Acharya Narendra Dev said that they stood self-condemned today.

Doubting whether the Labour Government in Britain had different intentions from those of the Conservatives, Acharya Narendra Dev said, 'I accept nothing less than complete independence. I won't wait for a day. So long as capitalism and imperialism are not done away with there can be no peace in the world.'

'If the world should have peace, every nation should be free,' he concluded.

Congress Represents the Will of India

Pandit Balkrishna Sharma, a member from UP, supporting the resolution said that he had opposed—the 'Quit India' resolution in 1942. Now he had come to admit his mistakes.

The last three years, he said, had convinced him of his error. The country had shown undiminished courage and sacrifice and had provided ample proof that Congress represented the will of the nation for freedom. Enormous forces had been released in the country and this accession of strength should not be frittered away in electioneering campaign only. The country looked up to such leaders as Maulana Abul Kalam Azad, Pandit Nehru, and Sardar Patel for guidance.

He urged the changing of the Congress constitution so as to permit all revolutionary forces to be within the organisation.

Mr Ragunath Rai moved an amendment to the resolution, seeking to delete the expression of regret regarding lapses on the part of the people from non-violence.

Mr Sri Chandra Chatterjee (from Bengal) urged this substitution of the term 'admits' in place of the word 'regrets'. He said that there was no reason for expression of regret in view of the inhuman repression.

Pandit Nehru's resolution was passed without any change. Three amendments were moved but were rejected or withdrawn.

On resumption after tea, Acharya Kripalani moved the resolution on Congress Policy. Acharya Kripalani explained the resolution in Hindustani and charged the Government with having rejected

the hands of friendship offered by the Congress in August 1942 in the fight against Nazism and Facism. He declared that if the leaders had been jailed precipitately, there would have been no case of violence which the authorities now alleged. In any case, asked Acharya Kripalani, what right have a people who plunged the world into a blood-bath in the form of a war to complain about violence in India? The speaker himself was convinced that the policy of non-violence was the shortest and best route to achieve Indian independence.

Proceeding Acharya Kripalani referred to the Simla Conference. It was given out that some interim arrangement for the Government of India satisfactory to the people would emerge. The Congress went the whole length in cooperating with this Conference. The President of the Congress was asked to submit a list of names. Then finally the Viceroy informed them that as Mr Jinnah was non-cooperating the Conference was dropped.

Acharya Kripalani said that the Viceroy did not tell them the real reason behind the dropping of the Conference. There was some wire-pulling from Whitehall, he said. If they wanted a settlement they could have gone without the Muslim League. It suited them to plead that the League was not coming and that therefore, everything should stop.

Referring to Congress policy of non-violence the speaker said if the Congress had not stuck to this policy, their fate would have been the same as that of the Germans and Japanese now under military occupation.

Before concluding, Acharya Kripalani made a passing reference to the recent British Government's proposals announced by the Viceroy. If any one, he declared, held out hopes of finding solution of India's demand of Independence out of the announcement then he was deceiving himself and others.

Freedom Through Gandhiji

The Congress should go forward and organise itself in every department. They should get into the legislatures, not for office but for furthering the cause of Indian Independence through that channel Asia.

'We will surely achieve independence through Mahatma Gandhi's leadership,' he concluded.

Babu Rajendra Prasad, seconding the resolution, said that the goal of independence was still far off, the government had not shown willingness to transfer power to the people of this country. Thousands were still rotting behind prison bars. Many hundreds were detained without trial. Some were in jail, condemned to terms aggregating 60 years. The movement for independence was still on.

How Can India Forget and Forgive

'Against this background, how can the country accept the principle of "forget and forgive" urged by the Viceroy,' he asked.

The Government had ordered fresh elections. But the electoral rolls were faulty. The new rules for revising were cumbersome. Disqualifications of candidates because of imprisonment had not been removed in his own home province of Bihar. Freedom of assembly had not been restored. The atmosphere for free elections was certainly lacking. All the same, elections have been forced upon us and we have to contest the elections, he said.

Acharya Kripalani, replying to the debate, characterised the various amendments as either redundant or misconceived. He said, a number of other resolutions on specific questions had been prepared and they would come before the AICC. Every one of those resolutions contained a definite programme and policy.

Thereafter all the amendments were put to vote and were either withdrawn before actual voting took place or rejected. The original resolution was then put to vote and declared carried amidst applause.

¹ See Document 38 for all the resolutions.

40. Press Reporting on AICC Session, Resolutions and Leader's Speeches

AICC Session was held in Bombay on 21–23 September 1945.

Bombay Chronicle, 24 September 1945.

Emphatic and unequivocal declarations both from Pandit Jawaharlal Nehru and Sardar Vallabhbhai Patel that the Congress would no more try to conciliate or negotiate with the Muslim League provided the climax to the Third and final day's sitting of the AICC on Sunday.

Sparks flew and tempers rose, as the debate on two amendments moved by Dr K.M. Ashraf and Mian Iftikaruddin to the Working Committee's resolution on the new proposals of the British Government and the elections, waxed to a high pitch of excitement. The vast audience of thirty thousand people, not excluding the members of the AICC, joined in the cheering and the jeering.

Dr Ashraf could not proceed with his speech at all. Despite the appeals of Maulana Azad, the Congress President, that he should be permitted to exercise his right to speech, not only the members of the AICC, but practically the entire audience shouted in protest against his proceeding with his remarks. Mian Saheb, however, had better luck, and despite some attempts at interruptions, persevered and finished his speech.

Pandit Nehru, who took upon himself the task of replying, started by being persuasive and argumentative. But soon his speech rose in a crescendo of indignation. He made a clear distinction between serving the Muslim masses and leading them to freedom and conceding every unreasonable demand of Mr Jinnah and the Muslim League. He declared that the Congress had enough of it, and would not try again—not until the League first apologized for the insults they had heaped on the Congress President.

Maulana Azad, who said that this would be the last AICC meeting of its kind because the spectacular and show aspects did not befit a deliberative body like the AICC, wound up the proceedings with a brief and eloquent speech, in the course of which he declared that the fire of India's freedom which had been lit in the hearts of its people and carefully nursed by a succession of leaders had been fanned to flame by the Government by its repression of 1942. That flame could no more be extinguished. The Nation's will to freedom, now clearly expressed could not long be thwarted.

The President had to resort to rush work to finish at least in part the heavy agenda. As many as six resolutions were moved from the Chair and adopted without any speech or discussion. A number of official resolutions and the entire batch of non-official resolutions had to be held over.

Proceedings in Detail

The first important resolution to come up before the session related to the 'Indian National Army', moved by Pandit Jawaharlal Nehru.¹

Why Differential Treatment?

Speaking in support of the resolution, Pandit Nehru said that part of the Indian army was left behind when the British evacuated Singapore, Burma and Malaya. These troops were instructed by the British to act in a manner which they thought would serve their interests best. With the entry of the Japanese into these territories some of the troops had joined the Indian National Army sponsored by the Japanese. The British were back in these territories now and according to the reports received in India, the fate of several officers and men of the army was hanging in the balance. It was rumoured that some of them were being brought before court martial in Delhi. It was unfair to treat these people on a different footing from that of combatants and prisoners of war, once the hostilities were concluded. Pandit Nehru contended that there was no difference between the role played by the Burma National Army and that of the Indian National Army. There could be no justification for any difference between the treatment meted out to these two. He cited a parallel from the last war when the Czechs who fought against the Germans were recognised as belligerents.

The only crime of these young officers, added Pandit Nehru, was their devotion to their motherland. Any vindictive action on the part of the British Government was bound to have repercussions in India. The men of the National Army had their kith and kin in the British Indian Army also and they could not escape these repercussions. The Working Committee had already decided to have a Defence Committee for their purpose. He announced that the Committee would invite applications from the accused or their relatives requesting for arrangements for their defence.

Seconding the resolution, Dr Profulla Chandra Ghosh said that the Government attitude had not changed even with the end of war. The same treatment accorded to Congress prisoners was being meted out to prisoners of the Indian National Army. He regretted to say that security prisoners in several Provinces in India were still rotting behind the prison bars. The most important thing for India today would be to unite and increase her strength so that her voice may be heard.

Mr Krishnanand moved an amendment urging the Congress to appoint a sub-committee of the AICC for the defence of soldiers and for collection of funds for legal aid, but the President pointed out that this suggestion was out of place in view of the decision of the Working Committee in appointing a Defence Committee composed of eminent lawyers.

Lala Deshbandhu Gupta moved an amendment suggesting that cases where long sentences had been imposed should be brought before revision tribunal. He pointed out that there were Indian soldiers who had refused to leave India's shores, because the Congress had objected to Government's decision to involve India in war without consulting the Indian public opinion. Many of the soldiers were reported to be serving long terms of imprisonment.

Mr Sirish Chandra Chatterjee urged the deletion of the words 'however mistaken' used in the resolution in connection with the actions of the Indian National Army. He said that this was the first organised army under the leadership of Mr Subhas Chandra Bose to fight imperialist forces. It was unfair to offer comment on their actions at a time when cases were pending against them.

Sardar Pratapsingh in an amendment urged that India should put in actions and efforts for the release of all those who had been convicted. He pointed out that Indian soldiers who went for the defence of Burma and Malaya were left high and dry so that they had no other options but to join the Japanese.

Pandit Jawaharlal Nehru accepted the amendments of Lala Deshbandhu Gupta and Mr Krishnanand. Sardar Pratapsingh withdrew his amendment. Mr Sirishchandra Chatterjee's amendment was rejected. The Committee then passed the resolution as amended.

Wavell's New Proposals

Sardar Vallabhbhai Patel moved the resolution pertaining to Wavell's broadcast and elections.²

Sardar Patel explained that when the Working Committee met in Poona recently and passed the resolution on the subject they did not have a full picture in view of the British intentions. Now that they had an idea of the picture, a new resolution had been framed. The Viceroy's announcement was now before them. It contained nothing new. It was practically a re-hash of the old offer made by Sir Stafford Cripps. It was clear that as far as the intentions of the British Government towards India were concerned, there was little difference between the Tory and the Labour Government. Why practically the same offer which had been rejected by all parties in India was again made, passed his comprehension.

Adverting to the Simla Conference, he said that the Working Committee decided to attend the Conference so that the Congress might not be misunderstood and in order to find out whether there was a genuine change in the attitude of Government towards the Congress. After a fifteen days' long Conference the same old story of the Hindu-Muslim difference was discovered. In the past, attempts had been made to come to terms with Jinnah. They had coaxed and flattered him, tried to please him and plead with him. All this was of no avail and in fact, things worsened. He affirmed that no more offers would be made to the League. They had realised that as long as a third party existed, any attempt to patch up differences would be futile.

Referring to the question of fresh elections to the Central and Provincial Legislatures, contained in the Viceroy's announcement, Sardar Patel characterised this as a move to mark time. He did not know why elections for the Central Legislature of such a type were being held. The reason given was that it was ten years old. It was not merely old, decrepit and tottering. It was dead. It had been already subjected to a post-mortem examination and he added, amidst laughter, that it was an utter fossil. Then why hurry about these elections he asked. What difference would it make with a limited franchise of about one per cent.

Flouting the Majority

The Government had functioned freely in the past without any reference to the will of the majority and in disregard of the accepted principle of democratic procedure. Government suffered as many as 18 defeats in the past. But still it carried on. And if again elections were held for such an Assembly, they had little significance, indeed.

Regarding Provinces, he said that the electoral rolls were framed as long ago as 1941.

At this stage, a member remarked that in United Provinces, the rolls were completed long before that period, and the names of those dead included in the list had not been removed. Though legislatures in most of the provinces were hastily dissolved and section 93 promulgated, there was no anxiety on the part of the authorities to install popular ministries in these Provinces. It was true that Sir John Colville, the Bombay Governor, was anxious for the resumption of responsible ministry. But the Powers that we had willed it otherwise. The desire to amend the defective electoral rolls was still lacking. The methods employed in some places were strange. In the 'non-regulation', Province of Sind, Sardar said, Government had ordered those whose names were not on the electoral rolls and who desired to be included should apply after filling a form and affixing a stamp of Rs 10.

Darkest Before Dawn

Moreover, how could the ICS, with the Congress 'Quit India' resolution before them, welcome the Congress in the Ministries. The present phase of the political situation, on the whole, appeared

to the speaker like the darkest part of the night before the dawn. Of course, the dawn would come. There could be no doubt about it. It was only a matter of time.

But because of this darkness, they should not lose heart. The Congress could not sit idle. It should be demonstrated to the world what hold the Congress had on the country. If the Congress kept back from the elections, then opportunists would get in and entrench themselves. If the Congress stayed away, there were sufficient number of fifth columnists to fill those places. He recalled how though Sir Ramaswamy Mudaliar was defeated by Mr Satyamurthi, the former occupied a seat in the Executive Council and the latter died in jail.

Therefore, the Congress should contest the elections. And before those elections, they could not have rest. They should not be in clover. Therefore, he appealed to Congressmen not to indulge in party squabbles during the forthcoming elections but to work hard for the success of the Congress candidates, irrespective of the fact whether the claim of a particular person had been recognized or overlooked. The Congress Working Committee might be having its own reasons for selecting the candidates. Jail-going was not the only qualification. They wanted loyal, faithful, honest, hardworking Congressmen. Congress was a poor organisation. But it did not need silver bullets. It did not mind lead or copper. It sought the affections of the people, and he had no doubt that the heart of the country was with the Congress.

Sardar Vallabhbhai Patel stated how they wanted to convene the AICC on 9 August, but could not do so because of the ban. Even if they had taken any decision in Simla, they would have taken the verdict of the AICC it was not their intention to hustle the AICC to accept any decision or to decide on anything surreptitiously. It was true that the gathering was a big one and that was because a number of people desired to attend it. They did not want to stifle that desire. Originally, the Provincial authorities had decided to provide for 500 people but the number increased to 5,000. He regretted that people were put to difficulties and hardships.

At this stage, Maulana Abul Kalam Azad announced that such a big gathering of the AICC would be the last one to be held. The atmosphere of the AICC should be calm and peaceful, conducive to the transaction of quick and easy business. The AICC was a deliberative body. There was no room for demonstration. Further, such gatherings could not be held without the aid of loudspeakers and as was their experience during the session, the loudspeakers were liable to go away. And when they went wrong, visitors would be restive and they raised their voices. The result was he added humorously, was that their deliberations would be drowned in their voices and their intelligence would be wasted.

Offering Rejected Goods

Pandit Govind Vallabh Pant supporting the resolution said that some of the members of the Labour Government were the friends of India. Mr Attlee and Lord Pethick Lawrence for instance had now been entrusted, with the fate of 400 million Indian people. These gentlemen—Lord Pethick Lawrence being 73 years old were now considering to what extent they should loosen the British strangle-hold on India. Was this not a tragedy, he asked. Did they think that India would be satisfied by such efforts? He declared freedom was India's birth-right and he had no doubt that India would have it. The events of the last three years had convinced him that India would secure her freedom in spite of Attlees and Churchills.

It was said that the Labour Government's proposal was an advance on all past proposals. In his opinion, it was the same old Cripps' proposal clothed in a different manner. It was the same rejected goods. It was not only the Congress that had rejected these proposals but all other parties. Why then, did the Government bring them forward again? How could the Congress or anybody accept them?

Continuing, Pandit Pant said that the Labour Party at the Conference at Blackpool had made certain suggestions for the solution of the Indian problem and made certain promises. These proposals and promises had now been forgotten. Among other things it was proposed to abolish the India Office and amalgamate with the Dominion Office. But the subject had been dropped and no reference was made to it. There was no mention of 'independence' at all in the Viceroy's broadcast.

Adverting to the Simla negotiations, Pandit Pant said that the Congress did everything to come to terms with Mr Jinnah. There was a genuine desire on the part of the Congress to come to an understanding with the Muslim League and thus prepare the way for forming a national government to alleviate the sufferings of the people. But Mr Jinnah insisted on Pakistan which he would not define. That was how their efforts failed.

Dr Choitram Gidwani (Sind) referred to 'the new source of revenue' resorted to by the Sind Government by charging Rs 10 in Court fees for each application for revision of electoral rolls. The Chief Secretary to Sind Government saw nothing wrong about this. This was one of the obstacles put in the way of the Congress in fighting the elections.

Maulana *Hafizur Rehman* (Bengal) supporting the resolution said that it was usual to expect a change in policy with a change in Government, but so far as India was concerned the Labour victory in Britain had meant absolutely no difference. If it indicated anything it badly proved that the British people were as insincere in their attitude to India as ever before.

The Maulana accused the British Government of doing everything to keep the people of India divided and then insincerely appealing to Indians to get united.

The speaker refuted the claims of the Muslim League to represent the Muslims of India. He said that the League President had not raised his little finger to help the Muslim majority province of Bengal when millions were dying of starvation, and yet wanted Pakistan for the welfare of the Muslims of India.

Maulana Hafizur Rehman challenged the British Government that within fifteen days of British quitting India the Hindu-Muslim problem would disappear. The people of India would decide on Pakistan or Hindustan, as they like, as free people. Kedar Nath Saigal, of the Meerut Conspiracy Case fame, who has sworn to don black until the country is free, supporting the resolution vehemently denounced the British Governments policy and intentions towards India and advocated that Congress should fight and enter the legislatures only with a view in fighting the British Government, with a straight obstructionist policy to be pursued in the legislatures. He exhorted the country to stand by the Congress and depend upon their own strength to win freedom instead of looking for help from outside.

Kamaladevi's Amendment

On resumption after the tea interval Mrs Kamaladevi moved an amendment to Sardar Vallabhbhai Patel's resolution by which she sought to clarify the object of the Congress in contesting the elections. She urged this should be for demonstrating the will of the people on the issue of immediate transfer of power and the framing of a constitution for an Independent India. She further wanted that the Congress should seek the mandate of the people on the fundamental necessity of a constituent assembly consisting of the representatives of British India and the Indian States elected on the basis of adult suffrage and clothed with sovereign authority to frame a free and unfettered constitution for India.

Mrs Kamaladevi declared that the Viceroy's recent announcement did not hold out any promise at all. She wanted clarification from the Working Committee on the following three points:

Firstly on what basis was the Constituent Assembly going to be based? Speaker after speaker had told them how the election rolls based on which the elections were to be held were outdated and how the franchise was too narrow to represent the will of the people. So any constituent assembly which was going to be based on this franchise and on these electoral rolls would not be a real Constituent Assembly.

Secondly what power was the Constituent Assembly going to have obviously? Its decisions were not going to be final as the British Government had the last word on the subject. There could be no Constituent Assembly without sovereign power and whose decisions would be final and binding.

Thirdly, what was going to be the composition of the Constituent Assembly, were they going to leave out the real representatives of the peoples of Indian States?

It was with a view to clarifying these points she had moved her amendment, Srimati Kamaladevi said.

Release All Detenus

Shahid Ansari speaking on the resolution, urged the release of Jayaprakash Narayan and all other detenus, thereby creating the proper atmosphere for elections. There were too many hurdles in the way of free elections. He also urged withdrawal of the ban on those who are absconding.

Dr Ashraff, then moved the following amendment:

‘In these Elections, Congress will seek the verdict of the people against the British Government’s plan as defined in the 1942 Declaration, and was reiterated by Lord Wavell in his latest broadcast, and for an agreed people’s plan of convening a Constituent Assembly with representatives elected by the adult population of the provinces and the Indian States which will have the support of the major parties and all communities.

‘To make this plan the rallying banner of a powerful Hindu-Muslim unity, to mass behind it the strength and sanction of the entire Indian people, Congress assures that the elected representatives of areas in which Muslims are in a majority will be free to constitute themselves into a Constituent Assembly and to decide for themselves whether to join the Indian Union or not.’

Dr Ashraff’s Right to Speak

When Dr Ashraff a Communist was addressing the House, a few members of the AICC objected to his addressing the House. The Congress President said that until the Congress finally had taken their decision on the Communists, Dr Ashraff had the right to address the House. When Dr Ashraff continued the visitors howled and jeered and more AICC members shouted and asked him not to address them. He said that the Congress message had not reached Muslim masses and the League had its vast number of followers. In Sind, for example, the League had 3 lacs of followers, 5 lacs in East Bengal and 3 lacs in the Punjab. He stated that his amendments sought to remove the fears entertained by the Muslim masses and bring the Congress and the League together. At this stage, there was a general uproar in the pandal and the Congress President persuaded the speaker to conclude his speech as he had overstayed his five minutes.

Malik Fakruddin (Assam) moved the following amendment:

‘In line 5, para 3, add “all are subjected to restrictions regarding their movement”, and between the words “places and public” add: “prohibitory orders regarding the entry of the public are still maintained and”.’

He explained that the situation in his province where large masses of land were prohibited areas, the necessary atmosphere for elections was lacking.

Avadesh Pratapsingh (Rewa) urged that Indian States people should be fully represented in the Constituent Assembly, and moved an amendment in this behalf. The hundred million people of the Indian States had a right to have their say in framing the future constitution of India, he said.

Awaken Muslim Masses

Mian Iftikar-ud-Din (Punjab), in a lengthy amendment, urged that the elected representatives of the Constituent Assembly of areas in which the Muslims are in a majority as in the NWF and Eastern Zones of India should be free to mould their own destiny and to make their own decision whether they should join the Indian Union or not. He said that the Congress had to awaken the masses of Muslims in the country and win them over to their side. Efforts should be made to release the Muslims from the reactionaries.

Mian Iftikaruddin remarked that in the hall which contained 30,000 there were only a few Muslims. Why were the Muslims keeping aloof, he asked. The speaker continuing, said the Muslims had gone to the League because the Congress had not enunciated their policy in clear and unequivocal terms.

Mr Sadguru Saran urged that only those Congressmen who had suffered and sacrificed in the cause of freedom of the country should be set up as candidates for the forthcoming elections, and that those who sulked in the tent should find no place in the legislatures.

Acharya Narendra Dev (Socialist) supporting Srimati Kamaladevi's amendment said people hoped when Lord Wavell flew to England that he was bringing new proposals from the Labour Government. But what the Viceroy brought was the same old Cripps Plan which had been rejected by the entire country. It has only proved that the British Government was again at their old game of dilatory tactics. But the country should refuse to be fooled this time. They were not bound to abide by any restrictions imposed by British Government in regard to the constituent assembly. The Congress must fight the elections on the issue of forming a full-fledged constituent assembly with the definite objective of achieving complete independence.

Right to Shape Country's Destinies

Acharya Narendra Dev insisted that the people as a whole must have a hand in shaping the destinies of their country. For this purpose it was essential that every adult must have a vote. The forthcoming elections should be utilized to create a new spirit in the country and to voice the determination of the country to be free.

A Hit at League

Pandit Nakhiram Sharma of the Punjab claimed that when the Indian soldier returned to his village he would be with the Congress. The polling booths will show whom he supports. The speaker also affirmed that the Muslims would be with the Congress and not with the Muslim League and asked what the Muslim League which claimed to speak on behalf of all Muslims did when Bengal, a Muslim majority province, was stricken by famine and thousands died?

Pandit Jawaharlal Nehru participating in the debate said that it would be useful to view the resolution in its correct perspective. It started with the broadcast speech of the Viceroy. This speech did not constitute a plan of any kind. It was just an indication of the way the mind of the Government was working. Some people had hoped that with the conclusion of the war and with the Labour Party in power the progress of India towards freedom would become easy. It was true that some of the back-benchers in Labour ranks took a keen interest in Indian affairs and were sympathetic to her aspirations. But by and large, there had been no change in Government policy.

Considering the present state of affairs, the Congress was in no mood to get back to offices in the provinces. Yet the Assemblies were dissolved in indecent haste in certain provinces, because

of the fear that Congress might want to come back to office. That was another straw in the wind. From what had been said on behalf of the British Government and even more from what had remained unsaid there was clear ground to be suspicious of British intentions. Yet it was necessary to occupy every position of vantage to exploit every loophole for furthering the cause of India's freedom.

Continuing Panditji said that what they would do after the elections still remained undetermined. They had no clear picture of the future. That question would have to be borne in mind when the Working Committee drafted the election manifesto. He pointed out that a wise commander did not try to anticipate the possible moves of the enemy and did not think of a plan of campaign at the very outset. His first concern would be to build up his army and keep it in fighting trim. In the same way for the present they should capture all the seats. It would not do to disclose all their plans. He was not doubtful of success attending them at the polls, but sometimes when he looked at the vast, pulsating life in the country, he got frightened. This was because he feared that their energies would be frittered in petty provincial and other conflicts.

Turning to the amendments moved by Dr Ashraf and Mian Iftikaruddin Pandit Nehru said that on the face of it, the resolutions seemed logical. India could become a great nation only when all its people decided to work together for its welfare. It was quite desirable that there should be unity between the various communities and sections of the population although complete unanimity was neither practicable nor desirable. But the moment they left the high plans of this logic and came to consider the operative part of the amendments, the position would change. As applied to practical realities the amendments would not work.

No Coercion of Units

It was necessary to define the implications of the concept of self-determination. Self-Determination had played a dominant role in Europe during the war years. But the nations of Europe had now begun to think in terms of the needs of defence and security and self-defence rather than of self-determination. That picture must be made clear. What free India would do, only free India knew. None could prophecy at present. All that they could say and did say was to state clearly that they would not coerce any unit to go against its wishes. Such coercion, he thought was neither possible nor desirable.

It was unfortunate, continued Pandit Nehru, that some friends had to look at these issues through coloured glasses. When a tornado was blowing over the land they wanted to sit down and reckon the mistakes that the Congress had committed. The Congress had undoubtedly committed thousands of mistakes and possibly it would commit thousands more. But what intrigued him was the fact that these friends never found a single mistake in the Muslim League. Their arguments constituted a compete topsy-turvydom. It was as if they were looking at the world from the wrong end of the microscope. They argued that the League was the representative body of the Muslims, as the Congress was that of the Hindus, and therefore the Congress must make terms with the League. He did not accept their premises and even if he did the conclusion he would arrive at was not the same.

He thought that it was right and proper that the Congress should keep as far away from the Muslim League as possible. He had many contacts with the Muslims. He knew the Muslim masses as well as anybody else. He challenged the sponsors of the amendments to go with him to the rural areas of his province. He would show them what the Muslim masses felt. It was one thing to suggest that they must win over the Muslim masses, that they should serve them and lead them to freedom. It was quite another thing to ask them to make up with the Muslim League. As long as

the League did not beg pardon of the Congress President for the insults and abuses that had been heaped upon his head, he would have nothing to do with the Muslim League.

The speaker traced the efforts that had been made by the Congress to meet the point of view of Mr Jinnah and the Muslim League. Much against his inclination, he had gone to Mr Jinnah. So had most of the respected leaders of the Congress. They had humiliated themselves, because they thought it would be in the supreme interests of India. They had only met with insults. The time had therefore come to declare that there would be no more compromise.

The Congress would be prepared to go to the peasants, the workers, the poor and oppressed of the land—be they Hindus or Muslims. It would make their cause its own. It would serve them. It would bring them into the Congress fold. It would certainly provide every safeguard to the Muslims. Thus every legitimate grievance would be met. But as for going to the Muslim League—never. ‘This is war.’ Pandit Nehru declared amidst thunderous cheers, ‘we shall face the Muslim League and fight it.’ One thing only they would never forget and that was the goal of freedom. With that goal steadily in their mind they would march.

Sardar’s Reply

Sardar Vallabhbhai Patel replying to the debate, said it was clear from the amendments moved that the resolution was acceptable to the house except for its last paragraph. Certain of the amendments referred to handicaps and obstacles in the path of the Congress in its programme of fighting the elections and demanded their removal. But the Congress, he said, did not entertain any hope that the Government would remove all these handicaps. The Congress had decided to fight the elections in spite of handicaps.

Congress Muslims As ‘Kaffirs’!

Sardar Patel further pointed out that the resolution before them was not an election manifesto. The manifesto would be drawn up and presented later. There was only one issue before the country. The issue was the country’s freedom.

Sardar Patel then referred to Mian Iftikharuddin’s amendment, and recounted the continuous and persistent efforts put in by him (Mian) to persuade the Congress to go to the League. The Congress had done everything to meet the League in the past. Every possible concession, communal electorates, fifty-fifty representation, parity had been made to the League. But Mr Jinnah wanted to dictate terms to the Congress and take away Muslims from the Congress. The League had proclaimed those Muslims within the Congress as ‘Kaffirs’ and then declared that the Congress did not represent the Muslims.

Referring to Dr Ashraf’s amendment, Sardar Patel said he could understand the Doctor’s stand. He was toeing the Communist Party line faithfully.

‘There shall be no more offers to the League,’ declared the Sardar. ‘But I do make one offer to the Muslim League. Let us have a third party impartial tribunal to adjudicate the difference between the Congress and the League. We shall abide by its award.’

Mr Fakruddin’s amendment relating to restrictions in Dibrugarh area which was still a prohibited area, was accepted by the mover. Other amendments except those by Mian Iftikharuddin and Dr Ashraf were withdrawn.

When the two amendments by Mian Iftikharuddin and Dr Ashraf were put to vote successively, only seven voted in favour of each amendment. The main resolution was then passed without a division.

The Congress President thereafter moved four resolutions from the chair pertaining to the appointment of a Congress Election Board, preparation of the Congress election manifesto, the

status of Indian States subjects and the constructive programme. These were passed without any discussion.

Maulana Azad in the course of his valedictory address said that he was aware that they were all tired. He was doubly tired. It was a question of the spirit being willing but the flesh being weak. He had carried his broken body to Kashmir and had brought it back in the same state. Still his heart urged him to fulfil his responsibilities.

They were meeting after three years. The full story of those stirring and glorious years was yet to be written. But on a careful analysis the last three years would reveal one fundamental truth. The fires of liberation had been kindled in the hearts of India's millions many years ago. It was at first but a doubtful spark of fire. It was nursed and fanned by many hands.

Freedom's Flame Rekindled

During the last three years, the fire had been fanned to flame. In arresting the Congress leaders all over India the Government had thought that they would extinguish once for all the tiny fire of freedom. But actually the results were exactly the opposite. The people had demonstrated the will to freedom. The flames of freedom in their hearts had leapt into a brilliant incandescence. Now it burnt bright and clear and it was beyond doubt that nothing could quench it. The brave sons of India met terror and repression and that attempt expressed the will of the nation to freedom.

The flame of freedom which burned in the people's hearts was the pride of the Congress. Those delegates before him had come from distant parts filled with the sparks from that flame. He asked them to carry back those same sparks to their homes and help spread the fires of freedom.

India was like a man who had slumbered long. But he had now woken up; not only woken up, but began to run. India was now speeding towards her goal with the speed of spirited steed in a clear field. Freedom was almost in sight. All that they had to do was to pool their strength and wrest it from unwilling hands.

Will to Freedom

The nation had clearly expressed its will to freedom. This was not the proclamation of a few individuals. The entire nation had come alive and willed to be free. And when that happened not all the waves in the tempestuous sea would prevent them from going ahead. They could not be halted by the tallest mountain or made to pause in their stride by lightnings flashing out of the sky. Such was the lesson of the last three years.

But there was another angle to it. He did not want to conceal anything from them. Some people had objected to such a vast gathering. It made the AICC unbusinesslike. On the other hand, in their eyes he could see the spirit of the nation. In their hearts beat the nation's will to freedom.

Even that beautiful pandal and all the elaborate arrangements that had been made for them at such short notice and in the face of so many odds was evidence of the love of the nation in the hearts of their hosts. He made particular reference to the volunteers. He had seen them standing in the pouring rain and each doing his allotted tasks without complaining. Their shirts might be wet and sticking to their limbs, but under the shirts were warm hearts which burnt with the love of freedom. The more he saw the volunteers and their work, the more he loved them.

The three day session concluded at 8.30 p.m.

¹ See previous documents for the resolutions.

² Ibid.

41. August Memories Recalled

Speeches by Patel, Nehru and Sankarrao Deo at Shivaji Park, Bombay, 24 September 1945.

Bombay Chronicle, 25 September 1945.

There was a happy reunion between the people of Bombay and their beloved leaders at Shivaji Park, Dadar, when Sardar Vallabhbhai Patel, Pandit Jawaharlal Nehru and Mr Shankarrao Deo, addressed a mammoth public meeting on Monday evening.

Bitter memories were recalled on the occasion which was attended by over two lakhs of persons, for, on this very ground where they had gathered three years ago to hear Mahatma Gandhi speak after the Congress had passed the 'Quit India' Resolution they received bullets, not Mahatmaji's darshan. Here the blood of some of them had flowed as a sequel to the police opening fire on the helpless crowd after repeated tear gas attacks to disperse them had proved futile. It was 9 August 1942. It was announced that Gandhiji would address a public meeting that evening at Shivaji Park. But all the leaders had been arrested ere long at the dawn of their fateful day. Then it was said that the late Kasturba Gandhi would address the meeting in Mahatmaji's stead, but the police who had invaded the maidan fully armed would not brook such a thing; with equal determination the eager crowds refused to budge an inch. A poignant feature of police atrocities that day was the shooting of a little boy. That young hero with a maimed leg had limped to the meeting place dragging behind him the sad memories of what happened on that evening three years ago.

Sardar Vallabhbhai Patel who presided at Monday's meeting expressed gratification that after three years some of the restrictions imposed on the activities of the Congress had been removed by the Government and they were in a position to meet the masses again and address them. It gave him great pleasure to see such a multitude of men and women gathered in the maidan. He was specially overwhelmed by the response which the women of India had offered at every step. And just as in the present instance, he saw the tremendous wave of enthusiasm and resurgence of a new vitality all over the country.

Any doubts which the Working Committee members might have entertained while they were behind prison bars were dissipated when they saw firsthand after their release the tremendous enthusiasm in the country. During their absence the people of India had not bowed their head, passively to the repressive laws of an alien government, but had made a colossal effort to implement the 'Quit India' Resolution of August 1942. He could not speak too highly of the courage, the fortitude and the heroism of the common people of the country when they were left leaderless and disasters, like famine, Government high-handedness and terrorism confronted them.

After referring to the Simla debate, Sardar Patel said that it was wrong to think that the Congress has retracted from the 'Quit India' Resolution or that the struggle had ended. After three years, he said, they were invited at Simla for a settlement. But the attempts to arrive at an agreement proved fruitless. Settlement or no settlement, he entertained no doubt whatever about the ultimate success of the Congress in achieving the freedom of the country, for their claims were based on right and justice. When they asked for the freedom of the country nobody could tell them that they were asking for something which was wrong. For this purpose they relied on absolute non-violence and their strength was in the righteousness of their cause. The present war had taught a lesson not only to the vanquished but to the victors as well. For if one country invented the Atom bomb, the likelihood was that in course of time some other country would devise something even more deadly. But India and the Congress entertained no such fears as the most deadly missile in their armoury was non-violence.

Referring to the advent of the Labour Government in England, he said that whichever government came into power in Great Britain it made no difference whatever to India. For they

all believed in the same old imperialist policy. 'Several of our colleagues are still in jail and for us the fight for freedom is not yet over,' he said.

Referring to the coming elections Sardar Patel said that the one purpose they would serve was that they would demonstrate the will of the people and the support the Congress derived from them. In India even the blind could see what the people wanted and that was the freedom of the country for which the Congress was fighting. There could be no talk of the struggle being ended for such a contingency could never arise so long as so many Congressmen were still in jails. What was more, the Congress had never accepted defeat. What could be stated was that the method of the struggle had changed. The country had to be prepared, the organisation had to be strengthened and the elections both at the centre and the provinces had to be contested with all the might of the Congress.

In Bombay, he had no fears. No candidate standing against the Congress for the Central Assembly could succeed. Some of the Muslims were of the opinion that the victory of the Congress meant the creation of Hindu Raj. Therefore they wanted Pakistan. But what this Pakistan was nobody had taken the trouble to define; perhaps even those who clamour the loudest for it do not know what it is all about. They might ask the Congress to give them the moon but neither the Congress nor anybody could fulfil their impossible demands. So long as India was a slave country how could anybody give anyone else either Pakistan or Hindustan? The irony of it was that the Muslims of Bombay clamoured the loudest for Pakistan while those of the North-West Frontier Province, the Punjab and other so-called Pakistan areas were the least vocal in this respect. Such an issue could only be decided when India became free and not so long as Indians were not masters in their own homes. If the British quit India the differences between the Muslims and Hindus would disappear in ten days.

Concluding, he said that freedom of India was essential for the freedom of the world and there could be no peace and no unity in the world so long as India and other nations in Asia were in bondage. He assured the gathering that the day India became free the Congress would have fulfilled itself and there would be no need even for its continued existence.

Pandit Jawaharlal Nehru speaking next said that the eyes of the entire world were focused on India during the momentous AICC session of the past three days. People had flocked to the AICC pandal from remote parts of India and there was evidence of unprecedented national enthusiasm in the activities of the Congress. During the past three years, he said, the country had passed through travails and tribulations; famines had laid waste entire provinces and killed hundreds of thousands of people. Under the Ordinance rule of the Government thousands had been thrown into prisons, beaten up and many had been even bombed from planes as though we were an enemy country. But the common people had not been cowed down by these acts of repression and terrorism and had emerged with a stronger faith and newer hope in the Congress.

Referring to the 'Quit India' Resolution, Pandit Nehru said that the Government which had refused to deal with the Congress till it apologized and retracted from the resolution had changed their mind and even made an attempt to negotiate with the Congress. But the resolution stood. For it indicated the will of the people which was behind it. It was a pledge of the country to attain freedom and to retreat from it would mean the acceptance of defeat and national degradation. The Congress during the last 25 years had made many mistakes—but never a mistake which lowered the nation's self-respect. Sometimes they were slow and sometimes more dynamic. But they had never condoned repression or lost their faith. The AICC in its present reiteration of the 'Quit India' Resolution had expressed their feeling unequivocally with regard to Government repression and also their sense of happiness at the fortitude and courage of the people.

Elaborating on the theme Pandit Nehru said that at the time the 'Quit India' Resolution was passed in August 1942 the country was beset on all sides with Government repression, and the menace of the Japanese on the frontiers of India. At such a time the Congress asked the British Government to lay the foundation of lasting world security by declaring India free. But the Government replied by wholesale arrests and by terrorizing whoever rose in revolt against their regime. They wanted to break the spirit of the nation and the people took up the challenge.

Referring to the Wavell proposals, he said that his initial hope that the advent of the Labour Government in Britain heralded the dawn of a new policy was doomed to disappointment. He was afraid that the common people of England who had brought Labour to power had no influence on foreign policy of their Government. They could not exercise such an influence unless India took up the initiative and continued the struggle. He was of the opinion that it was a wrong policy to pin one's faith on any type of government which came to power in Britain. The release of the leaders did not mean anything. They would have been released anyhow when the war ended. Under such circumstances it was unwise to relax our effort. For the British Government know that the Indian problem could not be solved without the Congress.

What India wanted was not self-government within the Empire but complete independence which means not only the freedom of a few top men or a few favoured communities but the freedom of everybody including the workers and peasants. They wanted to establish a freedom in which the workers and peasants had a voice. For those who harboured any doubts about the policy of the Congress after India became free, he could say that the day India became free, he could say that the day India won her freedom, Congress would have finished the mission for which it had been striving for the past 60 years. Gigantic tasks of educating the people and reconstructing the country, socially, economically, and industrially and from multifarious angles would commence. So long as the stamp of a foreign government continued this would not be undertaken. Independence opened the door for individual and national progress and thus alone would India march forward.

Criticising the callous apathy of the British Government towards Indian interests Pandit Nehru said that they were not even prepared to release the sterling balance of India which had accumulated in England. These balances represented the blood and sweat of the workers of India.

The British formed their own committees in England and put up Indians in them to impress the world that the Indians were one with them in all their actions. Millions of soldiers who had enlisted for a salary were coming home demobilized. The Government who were fully aware of the discontent of these fighting men on account of invidious discrimination against them in their army life, were talking of distributing free land to them in a feeble attempt to appease them. Many more millions who worked in essential war factories also faced unemployment in the near future. He could not believe that anybody except a national Government could tackle such problems.

Pandit Nehru said that the Congress did not consider that the capturing of a few ministries was anything very important compared to mass struggles. But still they had decided to contest the elections as would indicate to the world the strength of the Congress.

Mr Sankarrao Deo said that freedom was the inherent right of 40 crores of Indians and even God himself could not destroy the will to freedom in a nation. He said that he could not think of any government of the workers and the peasants except in terms of the Gandhian ideology. To follow the teachings of Mahatma Gandhi was the surest method of establishing the rule of the common people.



42. Quit India: The Main Issue

Jawaharlal Nehru's Interview to the Press, Bombay, 26 September 1945.

Selected Works of Jawaharlal Nehru, Vol. 14, pp. 295–301.

Question: On what lines do you propose to conduct the election campaign?

Jawaharlal Nehru: Quit India—It obviously means complete recognition of Indian freedom and not just the physical departure of the British.

Q: What was meant when you said that the Congress would crush all opposition?

JN: I was referring to the elections. It is silly for a non-Congress candidate to hope to win any seat in the general constituencies. He will lose his deposit. This does not mean that the Congress will go about with the sledge hammer.

As regards Muslim constituencies, the Congress will contest the elections wherever possible. But it will not split votes by entering into a three-cornered fight to benefit any Muslim League candidate. Wherever a non-Muslim League candidate has chances, the Congress will lend him all support to defeat the League candidate. The Congress stands for a United India and any Muslim who stands for the ideal of United India will get the support of the Congress. The League will fight the election on the issue of Pakistan or division of India, which in my opinion is impossible to achieve.

Q: What steps will the Congress take to secure franchise for demobilized soldiers?

JN: The only step the Congress can take is to insist that the soldier be given his right, but it is not a question of only demobilized soldiers, but of all members of the armed forces.

Q: What propaganda will the Congress carry on among the members of the armed forces?

JN: Normally, the Government does not like any propaganda among its armed forces. In fact, the Government dislikes it intensely. At the same time I have come into contact with the brothers and sisters and other members of the families of the soldiers in the course of my general and agrarian work. My relations with them are good.

Q: Will the Congress take office after the election?

JN: I cannot answer this question. After the elections, all manner of difficult questions are bound to arise. One of these is the constituent assembly. And even more, the immediate question is that of the Centre. Unless these questions are satisfactorily solved, they will give rise to conflicts. When the Congress talks of 'Quit India', it does not do so in merely idealistic terms. I realise that it is not enough to pass resolutions for independence. But if the fact of the transfer of power is recognized in its totality, the method of such transfer itself will become a matter of arrangement. If this is denied there will be a conflict, although I cannot foresee what will be the shape of the conflict.

Q: Will the Viceroy or any representative of the British Government have a place in the constituent assembly?

JN: Normally speaking no representative of the British Government will come into the constituent assembly. They have no place even according to their own showing, but when the question of British interests are being considered they may have a place. But whether we will actually object to the presence of a particular representative of the British Government at any stage, is a matter to be decided when it arises.

Q: What is your attitude to the Anglo-American attempt to set up an anti-Russian bloc in Asia?

JN: All question of foreign policy depends upon many factors, some idealistic, many realistic. Ultimately, the foreign policy of a nation will be guided by what it thinks is its national interest.

Like all other countries India too will naturally think of its foreign policy in terms of its national interest. In doing so, India's likes and dislikes will no doubt play some part in shaping this policy. India's reaction to anything that America or Russia may do will largely depend on American or Russian policy towards India.

Q: Has there been any change at all in regard to Britain's approach to Indian matters?

JN: So far as I can see, there is no change whatsoever in Britain's policy. It is just scandalous impertinence on the part of the British Government to appoint Sir Geoffery Prior to represent the views of the Government of India at the Council of Foreign Ministers in London. We feel strongly about it. If the Labour Government is responsible, as presumably it is responsible, for this decision, it shows that it is entirely incompetent to handle the Indian question. Simply because we are silent, it should not be assumed that we acquiesce in such acts.

Q: What is your reaction to the situation in Satara?

JN: So far as I have been able to find, the common people of Satara have shown an extraordinary ability for effectively organising themselves against heavy odds. They really built up an effective system of village government. It is doubtful if at any previous time these areas have been free from normal crimes as in this period. The village governments suppressed local crimes. The main lesson of Satara is that the common people of the villages can organise themselves, even against heavy odds, if given a chance to do so. It is an extraordinarily promising thing. In other parts of the country also village people have shown extraordinary powers of initiative and organisation. But they had a brief career because they had to face huge armies. These people, however, functioned for a couple of years. They are fairly well tested and they came out of the test remarkably well.

This is the general aspect of the question. It is true that some acts are really reprehensible. But they were individual acts. How can we judge a revolutionary movement from individual acts when the people as a whole have stood up to a test?

Q: Are you visiting England in the near future?

JN: I do not think there is the psychological need at the moment. Besides there is more urgent work to be done in the country now. My reaction to the proposal to go to England is strong. I do not want to go and will not go unless a vital necessity arises. In the past I have often wanted to go to England because I have many friends there. But I have developed a distaste to the idea of going to England now. I think it is but fair to the well-meaning friends of the Labour Party to inform them how we feel about this matter. They do not realise that the people of India are not satisfied with their pious platitudes about freedom. There is going to be no approach from us to the Labour Government, either as individuals or as a group, in England or India. Therefore, there can be no point in my going to England.

Q: Will you be in favour of sending a delegation if the Labour Government invites one?

JN: In that case I would view the suggestion from the different angle. If there is a job to be done I would go to England or anywhere for that matter.

Q: Will the Congress make any representation to the UNRRA?

JN: It is unlikely, although undoubtedly the situation in India could become very critical. Yes famine might come quite easily, perhaps on a poignant and large scale. So too unemployment.

Q: Will you advise a boycott of foreign goods?

JN: There is an amazing lack of goods of all descriptions in India. The country is short of such goods and it is difficult to expect it to continue to suffer. But the British attempt at dumping goods is objectionable and must be resisted. We are likely to have not only normal dumping of normal

goods but abnormal dumping of abnormal goods such as war scrap which nobody wants. There is an attempt to use up the sterling balances and reduce India's credit in Britain. I do not know if it is the Government of India or the Labour Government or the city of London that is responsible for it, but the indications are that attempts are being made to extort as much as possible in the shortest possible time before there is any change of Government.

Q: You said that you refuse to talk to the Muslim League. Is this not inconsistent with the resolution of the Working Committee on the question of self-determination?

JN: Where is the inconsistency? The Congress Working Committee has declared that it believes in a united India with the largest measure of autonomy for the provinces. At the same time it has declared that it is not going to compel any territory or area to join the Indian Union against the declared will of the people. There is, therefore, no question of talking to the League. It is for the population of a particular area to decide its own destiny—It is not for the Muslim League or the Congress to decide it.

During the last two years all our attempts to talk to the League have been one-sided. The Congress has made approaches, proposals and suggestions. The other side just goes on saying 'no'. It is somewhat odd that every time an attempt is made to talk to the League, it wants a testimonial or a chit from the Congress that it represents all the Muslims of India. But the Congress approach to the League by itself is a big enough testimonial. So the Congress cannot give a further testimonial which is inconsistent with the national character it has maintained for the last 60 years. Nobody will refuse to talk sense and talk sense decently. It is impossible to open a discussion if the other party refuses to talk. It is a somewhat curious case. The League is making big claims before the world. But in this case the Plaintiff does not define his claim but calls upon the defendant to do so.

The Muslim League is very strong in the Muslim minority provinces. It is not so strong in North-West India which is presumably included in the Pakistan demand. If we go to Baluchistan and Kashmir, the strength of the Muslim League becomes even less pronounced. Even in the Punjab, it is the urban influence that gives the League its strength and not the rural. It is quite clear that in the Punjab the Muslim League cannot form a Ministry without a coalition with other groups, because every group is opposed to the League. It is quite possible the League may win 25 per cent of the seats in the Punjab in the election, but it is probable it will get even less.

Q: How do you now face the Pakistan demand?

JN: Let me explain what I regard as the crux of the Pakistan issue, if it is to be faced at any time. If we presume that a large number of Muslims want Pakistan and further that they should be allowed to have their way, it will mean that in the areas they are in a majority they will be given the right to vote on this decision and if necessary to vote themselves out. But there are areas in southern Punjab and western Bengal which are predominantly Sikh or Hindu. It is absurd to talk of self-determination for one community and at the same time to coerce large numbers of people who do not believe in Pakistan to become part of it. Therefore, Pakistan cannot even be considered without the possibility of the division of the Punjab and Bengal. Such a Pakistan will be very poor in resources and in its economic position. Further no Bengali or Punjabi, whether he is a Hindu or a Muslim or a Sikh, wants a division of the Punjab or Bengal. Of all provinces in India, Bengal is the most strongly-knit cultural unit and both Bengalis and Punjabis have stronger provincial feelings than the people of other provinces. Even Muslim Leaguers in the Punjab and Bengal are opposed to a division. So it comes to this, that the Muslim League must decide either on coercing people, who do not want Pakistan, to stay in Pakistan or agree to cut up the provinces to make Pakistan a more feasible proposition. The former alternative is impossible and the latter is difficult because

they do not want it. Perhaps it is this difficulty that has come in the way of the League defining Pakistan.

Q: What action does the Congress intend to take against the Communists?

JN: There can be no question of taking action against the Communist Party, even if such a thing is possible. The Congress cannot take action against a specified or unspecified group which is not a part of it. We have, therefore, to look at the question to the extent it affects some Congressmen who also happen to be members of the Communist Party. Secondly, under the Congress constitution nobody can be prevented from becoming a primary member of the Congress. Anybody, whether an Indian or a Britisher or an American, can become a member of the Congress as long as he subscribes to Articles I of the Congress constitution. But it stands to reason that the Congress should insist that persons who are not in agreement with the Congress policy should not be members of the Congress executive.

Certain members of the All-India Congress Committee who have been served with notices, demanding why disciplinary action should not be taken against them for acting against the policy of the Congress, have been given a fortnight's time to put their case in writing and if necessary to explain in person to the sub-committee appointed to go into the question. The personnel of this committee, which was appointed by the Working Committee at Poona, is: Sardar Vallabhbhai Patel, Pandit Govind Ballabh Pant and myself. The committee has reported to the Working Committee that this is a strong *prima facie* case against the Communists and that the Communist members should be asked to explain. In this connection, the Communist Party as such is not being accused, but only those Communist members who, having occupied important executive positions in the Congress, have failed to abide by the Congress policy.

This position applies to communal organisations also. The Congress has never said that members of the Hindu Mahasabha or of the Muslim League cannot become members of the Congress. But it has made a rule that members of a communal organisation whose policy is opposed to that of the Congress cannot hold executive positions in it. Some time ago it has been decided that the policies of the League and the Sabha are opposed to the policy of the Congress. In this connection, I also deprecate the talk of purges. Under the Congress constitution nobody can be deprived of his primary membership except for misconduct or misdemeanour.

Q: Do you think that there will be a civil war in India on the withdrawal of British power?

JN: There is less likelihood of a civil war in India than it is in some countries of Asia and Europe. A large number of countries outside India are faced with the threat of internal troubles in the coming years. India will have its own troubles, but I personally do not think of a civil war because of communal trouble which many people seem to be thinking. India's troubles will arise inevitably following the transfer of power. Thus, for example, when a foreign government refuses to meet the wishes of the people there is one kind of reaction whereas if a government of the people delays to redress their grievances, the reaction is of a different kind. But these troubles will not be in the nature of a civil war.



43. Liberal Leaders Comments on Attlee—Wavell Proposals, Poona, 25 September 1945

Statement issued by M.R. Jayakar, Kunwar Jagadish Prasad and N. Gopalaswami Ayyanagar.

Amrita Bazar Patrika, 28 September 1945.

The Viceroy's latest broadcast, cold, curt, uninspiring, was in depressing but unmistakable contrast to the warmth and friendliness of the broadcast that preceded the summoning of the Simla Conference. There has been a distinct hardening of tone and a deplorable deterioration of policy. Political tactics have now taken the place of statesmanship. As the Muslim League demands have stiffened after the failure of the Simla Conference, the British Government's attitude towards the other political parties has become less and less friendly. Everything has been thrown into the melting pot—interim Government at the Centre, replacement of Section 93 by responsible Governments in the provinces and even the summoning of a constitution-making body. To take the last first, preliminary consultations are first to take place after the provincial elections, between the Viceroy and the representatives of the elected members of the Provincial Legislatures as to the acceptability of the Cripps' proposal and the form of the constitution-making body.

The great issues involved and the delicacy of the minority problems are the excuse for this resiling from the position taken up in the Cripps Declaration. Mr Jinnah will not look at any proposal for a constitution-making body, unless Pakistan is agreed to first. Is this preliminary conference intended in reality to give the Muslim League an opportunity for raising this issue and thereby creating a deadlock even at that initial stage? Have the British Government no mind on this question? If they have, why do they evade giving public expression to it? It is pompously declared that the elections must be held first so that the will of the Indian electorate might be known. Will on what? This is left delightfully vague.

Surely the Viceroy and the Labour Government must be fully aware that the elections on a very limited franchise by separate communal electorates will not settle the question of Pakistan. The British Government's whole object seems to be to postpone a decision on all crucial questions for seven or eight months at least and then, when there is a renewed deadlock, to hold up their hands in pious horror and pretend that all their sincere efforts to hand over power to the Indians have been foiled by disagreement among Indian leaders.

The Cripps proposal suggested a workable scheme for a constitution-making body. That proposal is now to be examined *de novo*. The scheme of Federation was shelved in 1939 and after nearly seven years, the question of whether and how a constitution-making body is to be formed is to be the subject of fresh consultation. It would, indeed, be a miracle if anything but complete fiasco results from these consultations, judging from the manner in which they have been conducted in the past, with nobody, not even the Viceroy, owning the responsibility for reaching decisions and implementing them. There is then in connection with an interim Government at the Centre, the very ominous declaration that the new Government can only come into being if it has the support of the main Indian parties.

Has the lesson of the Simla Conference and its sequel had no effect on British Policy? Why should the British Government speak with mental reservations so painfully transparent? Will they continue the status quo after May next also if one of the Indian parties is again unreasonably obdurate?

Again, why should the installation of a new Government at the Centre await the completion of the provincial elections except it be that opportunity should be given to the Muslim League to increase its strength? The possibility of forming a new Government will apparently depend on

Mr Jinnah's pleasure. Perhaps the Viceroy has doubts so to what Mr Jinnah's pleasure will be. Others, less wise, have not. The dissolution of the legislatures months before the elections has made secure autocratic rule in the majority Indian provinces at least till April next year and who knows that circumstances may not arise necessitating further consultations—after the Provincial elections and before Section 93 is removed—between the Viceroy, the Governors and the representatives of the elected members of the provincial Legislatures as to the form of Provincial Government—whether a responsible Government as contemplated by the Act of 1935 or not—which will be in accordance with the 'Indian conceptions of the social, economic and political structure of Indian life.'

The latest conception of our rulers seems to be to dig everything by the roots to see how their democratic system has fared in Indian soil. And what has happened to those manifold problems of post-war reconstruction, which figured so prominently when the Simla Conference was called and for the solution of which Indians, more representative and with adequate political backing were considered so necessary? Has the cessation of the war dissolved these very urgent problems into thin air? Or has a feeling now grown that, with questions of such vital concern to Britain, as the sterling balances, the Indianisation of the officer ranks of the Indian army, the stoppage of British recruitment to the Indian Civil Service and the Indian Police, the regulation of tariffs, the rapid industrialization of India, especially the establishment of heavy industries and the like, it is wiser to rely on the present tried and safe team than to take risks with politicians who might, with inconvenient foolishness, place the interests of the country about their own? A humdrum Government functioning in a routine way, playing with planning for reconstruction and for a better standard of life and having for this purpose a limitless faith in committees and conferences on road communications, agriculture, public health, food and what now-how smoothening this to the nerves of empire-sustainers compared to the unhealthy excitements of a Government that would talk of independence first and everything else afterwards? Surely, the present Executive Council can be implicitly trusted with this task under British guidance. Why should it matter if the Peace Conference and the first General Assembly of the world organisation will have met months before the bringing into being of the new Executive Council. The car of state is now in reverse gear going rapidly to the rear. Can it be halted in its backward progress? Is there any hope of its moving forward?

44. Sikhs Oppose the Demand for Pakistan

Resolution and Speeches, All India Akali Conference, Gujranwala, 29–30 September 1945.

Pioneer, 2 October 1945.

This Conference has carefully considered Lord Wavell's proposals and is of the opinion that the same are halting and unsatisfactory. These are based upon the Cripps' proposals which were rejected by Sikhs and the other political parties.

In the opinion of this Conference nothing short of an immediate transfer of all political power from the British Parliament to the people of India will satisfy Indian public opinion.

In view of the fact that the legislatures to be elected in the coming elections are to form the basis for the creation of a constitution-making body, whose decisions are bound to have a far-reaching effect on the future of the community, and further in view of the Pakistan movement and the activities of the Communist Party which are a grave menace to the religious, social, political and economic well-being of the Sikh community, this Conference resolves that Sikh representatives in the provincial and central legislatures should be elected on the ticket of the Shiromani Akali Dal.

The selection of the candidates will be made by the Sikh Election Board to be appointed by Master Tara Singh as decided in the Panthic gathering, for only such representatives can effectively safeguard the interests of the community and can also fight for the country's freedom.

This Conference further declares in clear terms that the representatives of the Shiromani Akali Dal, while safeguarding the interests of Sikhs, will always stand by Congress in all political matters and will fully co-operate with Congress in its fight for the country's freedom.

This Conference hereby calls upon all Sikhs to lend their full and hearty support to the candidates put up by the Shiromani Akali Dal in the coming elections.

Sardar Mangal Singh, MLA (Central) moving the resolution at what he called 'this historic session of the Conference being held on this sacred land of the Gurus' said that the Sikh could resist to the death all attempts to establish Pakistan, 'we Sikhs will oppose it tooth and nail.'

He said that Sikhs, though small in number, had always played a prominent part in the national struggle for freedom, while the Muslim League only put a condition on its participation in this struggle, because it asked for Pakistan first. This attitude was understandable. Sikhs drew inspiration from the martyrdom of their Gurus and from their glorious history of heroism. That is why with them the issue of freedom came first.

Sardar Mangal Singh said that the Shiromani Akali Dal supported the 'Quit India' Resolution of Congress, while the Muslim League opposed it. The League wanted Pakistan to be established with the help of British bayonets. While the League leader went so far as to suggest to the British that they should divide India and then quit it. Sikhs, he said, wanted the British to quit India. Then they would see how the Muslim League could establish Pakistan. Loud long ringing roars of the Sikh battle cry ('Jo bole so nilhal—Sat Shri Akal').

The mover appealed to Sikhs to vote for the Shiromani Akali Dal and urged Congress to give them a free hand in the matter of elections. He said that only Sikhs, who were unequivocally opposed to Pakistan, could oppose this poisonous scheme.

There were suspicions, said Sardar Mangal Singh, that some day Congress might agree to Pakistan. If they were returned on the Congress ticket, their lips would be sealed in that situation. If Pakistan was forced upon them they would advise the Khalsa (the Sikh Community) to pull out their sword from the scabbard and use it in that struggle against Pakistan. Congress would not resort to violence because it was wedded to non-violence, but they would. That is why they did not want to get to the legislatures on the Congress ticket, for they did not want to be accused later of indiscipline by having resorted to violence.

He said that it would not harm Congress in any manner if Sikhs fought the elections on their own ticket. Congress Sikhs should have no objection to this for the Shiromani Akali Dal would side with Congress on political matters and on the freedom issue.

Sardar Mangal Singh remarked: 'We want freedom of action in regard to the elections for two reasons. First, if Congress compromises its principles by conceding Pakistan, the Shiromani Akali Dal will carry on the fight against this scheme of dividing the country and will see to it that the country remains one and undivided. Second, the Shiromani Akali Dal does not want to be accused later of resorting to violence in their fight against Pakistan.' He said that Sikhs must unite to face the dangers that lurk ahead, though they would march in step with the Indian National Congress in its struggle for freedom.

Sardar Baldev Singh the Punjab Minister, said that even if the Muslim League promised to build houses of gold for Sikhs in Pakistan, they would refuse to live in it. The Sikh Panth had proclaimed to the world its opposition to Pakistan in unanimous terms. Sikhs would have nothing to do with the Muslim League so long as it stuck to the Pakistan scheme. No Sikh worth the name could ever think of co-operating with the party which was scheming to vivisection India.

He said that the Muslim League leaders had several times appealed to Sikhs to accept the principle of Pakistan and had made promises that Sikhs would have a fair deal from the League. But how could Sikhs expect a fair deal from the League? To them even the idea of Pakistan was abhorrent and obnoxious. They would never agree to live in Pakistan. Sikhs would be ready to shed their last drop of blood to maintain the unity and integrity of their homeland if Pakistan was ever forced upon them.

The Minister said that he was surprised that HMG did not come out with its views on Pakistan as he felt that no sane man could entertain the idea of dividing India even from the defence point of view.

Sardar Baldev Singh severely criticised the Communists and hoped that realizing the gravity of the situation both Congress and the Akalis would put in a joint effort to keep the Communists out. The Akalis had always sided with Congress in its fight for freedom and he felt convinced that they would support Congress on the freedom issue when returned to the assembly. He earnestly wished that Punjab Congressmen would read the situation and avoid a clash with the Akalis, as this might harm national interests.

Appealing to Sikhs to vote for Akalis Sardar Baldev Singh said that any vote cast for Communists would be a vote for Pakistan and the Muslim League. He said that Communists were a funny people. They were first against British imperialism but later they changed their policy and only God knew under what inspiration they came out of jail. Now they had taken it upon themselves to do League propaganda for Pakistan. He said that in view of the past and present activities of Communists the people should keep miles away from them.

The release of the officers and men of the Indian National Army was urged through another resolution unanimously adopted by the Conference. The resolution stated: 'This Conference is deeply concerned over the fate of the officers and men of the Indian National Army founded in Burma and Malaya and also in Europe, who are now confined in India and foreign jails and are awaiting the decision of the Government of India.

'This Conference strongly urges upon His Excellency the Commander-in-Chief and the Government of India to extend clemency and generosity to all the officers and men of the Indian National Army and release them forthwith. As a matter of fact all ranks of the INA should have been treated as prisoners of war and released as soon as the hostilities ceased.'

45. Sikhs Oppose the Demand for Pakistan

The Central Akali Dal Conference, 30 September 1945.

Indian Annual Register, 1945, Vol. II, p. 170.

'So long as even one Sikh child is alive Pakistan will not be allowed to be established and Hindustan will remain Akhand Hindustan,' said Baba Kharak Singh, the veteran Sikh leader in the course of his speech at a conference convened by the Central Akali Dal at Lahore today, over which Baba Sahib presided. The conference was attended by about 200 Sikhs from various districts and included many Congress Sikhs.

Baba Kharak Singh declared that the Central Akali Dal and those with him had almost always sided with the Congress and they were even now prepared to side with those who were opposed to Pakistan and stood for Independence of India. He wanted justice and fair deal for the Sikhs for whom he claimed equal status in the politics of the country with other communities.

Baba Kharak Singh made it clear that like all previous occasions he and those with him were prepared to stand by the Congress in the coming elections. But, he added, they were not prepared

that in the coming elections while the Central Akali Dal would give their candidates, those candidates would contest elections on Congress ticket.

Earlier Sardar Amar Singh of the *Sher-i-Punjab* moved a resolution welcoming Master Mota Singh on his release.

Master Mota Singh, in the course of a speech, said that he was proud to have been born a Sikh and to have Guru Gobind Singh as his spiritual and political Guru. He had no doubt that the brave Sikhs would stand by those who have suffered for their country. The Congress, he said, was the only organisation today which deserved the support of every patriotic Indian to whichever community he might belong.

The Conference adopted a number of resolutions. The main resolution, moved by S. Amar Singh of the 'Sher-i-Punjab', condemned the repression during the last few years carried on by the Government to suppress the Congress movement. The resolution further condemned those Sikh representatives in the Punjab Assembly who joined the Unionist Government in working its policy of repression and declared that they, having proved false to their promises, the Central Akali Dal should contest elections and put up candidates in co-operation with the Congress.

The resolution as amended and adopted wanted the Congress to promise that it would support Akhand Hindustan and oppose Pakistan and accept it at no cost, help the Sikhs to get similar weightage as Muslim minorities have been given in the UP, CP and Madras or equal representation to all communities in the Provincial Legislatures; the Sikhs should be helped to get six per cent seats in the Central Government, and Sikhs should always have a Sikh representative and the Sikhs should have the same right and religious freedom as other communities in India.

The general trend of speeches at the conference was that the Congress should be supported in the coming election. Several speakers pointed out that even if the Congress had erred in the past the Sikhs should stand by the Congress in its present hour of trial and especially so after the unequivocal declaration made by Sardar Patel and Pandit Nehru.

Sardar Uttam Singh Duggar, MLA and Tika Fateh Jang Singh, MLA also spoke and referred to the work done by them. Tika Fetej Jang Singh thought that their only concern should be to see the Muslim League defeated.

The conference decided to build a memorial to Baba Madan Singh Gaga who died recently.

A resolution was passed regarding the Indian National Army asking the Government not to punish the members of the INA.

The Conference empowered Baba Kharak Singh and S. Amar Singh to constitute an election Board.

46. Asaf Ali on Two Nation Theory and the Demand for Pakistan

Interview with a representative of 'Orient Press of India', 1 October 1945.

Bombay Sentinel, 2 October 1945.

New Delhi, 1 October. 'Nation is always a political entity and not a religious one. Hindus and Muslims are definitely two communities, but certainly not two nations.'

Asked what he thought of the 'Two Nation Theory', he said, 'It is pure delusion to talk of Hindus and Muslims residing within the geographical frontiers of India as two nations.' He cited instances of USA, Russia and Switzerland where various communities were living and yet formed the American, Russian and Swiss Nations.

'The cry of two nations in India,' he said, 'is entirely misleading and wholly untenable. The Pushto-speaking Pathans, Malayalam-speaking Muslims and the Gujarati and Bengali Muslims do

belong to the Muslim community but to lump them together and call them a nation is entirely wrong. Punjabis, Bengalis, Madrasis and Pathans may be the groups of nation because their material, political and even cultural interests are mostly common, but I cannot see any justification for dividing a common country between Hindus, Muslims and others along the line of religious cleavages. Such division will only complicate the vital and unsolved problems of the country.'

'If there is any lesson which the last war has taught us,' Mr Asaf Ali said, 'it is that small countries have to enter a big combination with a view to developing common defences and other material interests. A narrow nationalism which seeks to cut up a natural combination of large populations by isolating small groups would spell its own ruin.'

He remarked that even if he were to visualize a possible combination of all the Muslim countries in the Middle East together with the proposed States of Pakistan, he would not feel sure that all of them put together would be safe against the possible onslaught of any of the big powers that have emerged from this war.

India as a whole was capable of developing its war potential to a degree of efficiency which could guarantee safety not only to those who were clamouring for separate existence but also to the Middle East.

Separation would render both the Pakistan States vulnerable. The proposed Pakistan would have to organise and maintain immense defence forces both in the North-West and the North-East unless the defence of Pakistan was to be made a responsibility of the whole of Hindustan or of some great power such as Britain. But in the second case, the kind of freedom sponsored in Pakistan would not merely become problematical but would be a source of inescapable weakness.

The finances necessary to maintain huge forces in two widely separate parts of Pakistan would run in astronomical figures and he wondered where all that money would come from.

On the other hand, these two areas being fully autonomous, they might enter into a common federation for the purposes of common defence and All-India services and other interests. In their picture every conceivable safeguard for unfettered economic development and provision against every kind of interference in internal matters of the Muslim community could be secured on honourable terms. Muslims both in majority and minority provinces would thus have the same rights and opportunity as other inhabitants of the country and as free and honourable citizens as all free people of the world. He asserted that 'Muslims as well as non-Muslims in the proposed Pakistan zones which had yet to be defined, would have in a Federated India the greatest measures of self-government'.

Mr Asaf Ali suggested to advocates of Pakistan to come to grips with details and let the world know what the constitution of their proposed state would be. The 1942 resolution of the League which foreshadowed the vague grouping areas definitely authorized the Working Committee of the League to produce a Draft constitution which had not been forthcoming to this day. Had it been done, the controversy would have proceeded along realistic lines and voters would have been able to judge whether provinces remaining outside the Federated India could ever improve the lot of those who had been allowed to nurse this illusion.

'Advocates of Pakistan,' he said, 'knew it is nothing more than an airy bubble or rather the "will of the Wisp" which eludes its pursuer. They can not give any constitution to the public to judge the scheme on merits.'

He emphasized that freedom could never be won by resolutions, debates and controversies but always by sacrifices. Had those who had been passing resolutions and holding debates, associated themselves with the struggle for freedom, they could have achieved their real purpose long ago.

Referring to the belief in certain quarters that Pakistan would be protected by some outside power preferably the British till it was strong enough to protect itself, Mr Asaf Ali asserted, 'it will not be a "Free Sovereign State", but another Indian State added to the 600 already existing.'—UPI.

47. Khan Sahib and Other North-West Frontier Leaders on Pakistan Demand, Peshwar, 1 October 1945

Tribune, 3 October 1945.

Peshawar, 2 October. 'Pakistan is the slogan of cowards and while Congress wants to lift you to the heights of freedom these communal organisations like the Muslim League and the Hindu Mahasabha want to drag you to the depths of slavery,' said Dr Khan Sahib of NWF Province while addressing a Congress public meeting, held at Peshawar Cantonment last night (1 October 1945) under the presidentship of Mr Gopaldas Khera.

Dr Khan Sahib continued: 'Congress is a revolutionary body and as my own brain is full of revolutions, I want to pour revolution into your heads also so that you get independence and our younger generations should stand shoulder to shoulder with other free nations. This is the main outline of the Congress programme to contest elections. If the Muslim League contests elections it should also put its programme before the public but should not deceive the poor masses. It is quite clear that independence is the only solution of all our difficulties; then why sabotage any movement for freedom.'

Strongly refuting all allegations against the Frontier Congress Ministry, Dr Khan Sahib said that he believed more in honesty than in winning a few seats through unfair means and assured opposite parties that his ministry would never stoop down to underhand tricks of secretly opening ballot boxes as is alleged to have been done by the previous ministry. Dr Khan Sahib concluded with an appeal to different political organisations not to use abusive or provocative language. He would welcome honest and fair criticisms.

Qazi Attaullah Khan, Minister of Education who also spoke, refused to admit that the Muslim League was the only representative body of Indian Muslims. On the other hand, he said, such communal organisations were not only tightening the chains of slavery but were producing difficulties in the way of Congress which is the only body fighting for freedom. Qazi Sahib further held that middle class intelligentsia was mostly responsible for producing the question of Pakistan for their selfish motives and thus diverting the nation's attention from their final goal of independence. He declared: 'All our difficulties can be solved if we gather round the Congress banner and stand united under it.'

Pointing out the vague promises of granting independence to India by Mr Amery and Mr Churchill, Rai Bahadur Mehr Chand Khanna said that nothing was expected even from their successors Lord Pethick-Lawrence and Mr Attlee, who could be described as old wine in new bottles and in the face of these circumstances Indians should not rely on British imperialism. The Rai Bahadur, as President of the Frontier Hindu Sabha, asked Hindu Mahasabhaites to follow Khan Abdul Ghaffar Khan and Dr Khan Sahib so far as the question of India's independence or freedom of India was concerned. He appealed to both Hindus and Muslims to put a united front against British imperialism.

Dewan Bhanju Ram Gandhi, Minister of Information, pointed out the main difference between the League and the Congress and said that those who wanted freedom should join the Congress and those who wanted to remain slaves should go to the League.—API.

48. Jayaprakash Narayan Drifting Further from Gandhi:

Letter to Gandhi from Prison, 6 October 1945

Valmiki Choudhury (ed.), *Correspondence of Rajendra Prasad*, New Delhi, Vol. VI, pp. 127–28.

Dear Bapuji,

‘Charnon me saadar pranam.’

Your kind letter sent through Prabha had reached me in time. I beg your pardon for not being able to reply to it so far. I had asked Prabha only to enquire from you whether you had received the letter sent to you from Lahore. I am sorry that she caused you the trouble of writing a letter. Yet I felt blessed on receiving it.

It is true that I have been drawn very near to you in some spheres of ideology; and I am extremely happy about that. But at the same time I am sorry that on the fundamental principles I find myself today as much away from you as I ever was. So far as the question of the sphere of action is concerned, it appears to me that it will remain not only far from yours but will become entirely different. As a result of the recent events I find myself drifting away from you more and more speedily. Thus, as you write, the attitude one develops while in jail often undergoes a change when one is out. I cannot say which direction I shall take when I am released.

Undoubtedly, jail is not a place for a man to live in, but I assure you I am not counting days for my release not do I feel that I am engaged in some sort of *tapasya*. It is the inevitable lot of revolutionaries that some of them die, others are ruined, and still others continue to rot in jail. There cannot be any dispute about it. Thousands are in jail today, thousands will be in the future.

Wrinkles of old age are now discernible on the melancholy face of the rainy season flowers in our garden. The sprouts of winter flowers are peeping through the soil to replace them. And much of my time is spent on nursing them and in dreaming which flower will illumine which corner of this small world of mine or will cover which flower-bed with its smile. The way things are developing I am pretty sure that I shall see my dreams realised.

I am afraid I must have annoyed you by prattling in this manner and wasting your time. If so, I beg your pardon.

I would not like you to take the trouble of replying to my letter. I am happy and contented that I always have your blessings.

I was worried to read in the papers that you had fever while in Bombay. Hope you are all right now. I shall feel happy if you kindly convey my regards to respected Sardarji. His health is improving after his treatment at Poona. This is the nation’s good luck.

Prabha came here last month on the 15th or 16th and I expect her again by the end of this month. I am quite well. Rammanohar used to suffer from a skin disease; he is now under the treatment of a specialist and is getting better. He too sends his pranam to you.

Yours affectionately
Jayaprakash

49. Police Reign in Satara

Editorial, *Bombay Sentinel*, 9 October 1945.

Mr Shankerrao Deo’s statement after an extensive tour in the Satara District suggests that the Government policy of excessive repression still continues and there is a ‘petulant attitude of vengeance and terrorization’ on the part of the bureaucracy and police.

The recent speeches of the Governor¹ are far from reassuring and it is obvious that the people of Satara are destined to have more restrictions on their freedom for some months to come. Mr Deo met them to have a more reasonable view of the situation.

The greater is the pity, as the people of Satara deserve some rest after the last three years of uninterrupted repression in the name of law and order.

It is greatly to be deplored that the Government refuse to accept the hand of co-operation offered by the Congress. Mr Deo promised to restore peace to the District if he is allowed a free hand. But the authorities are obviously more concerned for their prestige than for the restoration of peace and normal life.

It is not too late for the Government to prove its bone fides by accepting the offer of Mr Shankerrao Deo and giving Congressmen the opportunity to do what it has not been able to achieve itself for the last three years.

If, as the Government claims, peace has been restored and all so-called terrorists have been arrested, there is surely greater need for official repression to cease without any further delay.

Mr Deo complains with good reason that the Governor has refused to see 'the other side of the picture or a readiness to admit the possible shortcomings of an irresponsible and autocratic administration.' Even now the Government refused to admit its mistakes or to retrace its steps.

The Governor had nothing or little to say about the suffering of the guilty and the innocent alike. All that he was concerned with apparently was to maintain the 'Police Raj' in Satara at all costs.

It is difficult to question the accuracy of Mr Deo's statement in face of this attitude. There is no redress for the people of Satara so far as one can see. They have to suffer patiently in the face of wrong-doing as the High Court proceedings a few days ago proved.

What is the Government going to do now? It has only two courses open. Either it must continue its present methods until the whole District submits tamely to 'its petulant attitude of vengeance and terrorisation' or try to conciliate the people with the assistance of Congressmen, which they have expressed their willingness to offer.

But the Governor is apparently opposed to a policy of reconciliation and believes in a further and more intensive dose of repression to cure the people of their political ills.

One is inclined to agree with Mr Deo that the present attitude of the Government is unworthy of a civilised administration or good Government.

The primary policy of the Government is to reconcile the people, remove their grievances and make friends with them. The policy, enunciated by the Governor, is contrary to all accepted canons.

It is stated that there is an atmosphere of dark uncertainty everywhere in the District. No one feels safe as anyone may be arrested under the Defence of India regulations. As it is, hundreds are being detained in custody and perhaps the Police are busy preparing cases against them with all the ingenuity they are capable of.

Such immense powers to the Police must necessarily bring about corruption, particularly as the Police in India are always ready to take advantage of the distress of the people. Mr Deo himself has heard many such complaints of illegal exactions by the Police, and there were a number of complaints of 'beating and torture'.

How long are these things to continue in the name of good government and law and order? Is there to be no end of them? Do they help to make the people more law-abiding, or reconciled to the administration?

It is stated that there is plague in the District, and yet the prisons and lock-ups are full of prisoners detained under various orders. No wonder there is regular reign of terror in the District and corruption s rampant.

Mr Deo's appeal for wisdom and statesmanship is unlikely to fall on receptive ears and will be brushed aside by the authorities who are not amenable to reason.

As a result of this official terrorism, even ordinary people go 'underground' for fear of being arrested, beaten and tortured says Mr Deo. The statement adds that such conditions amount 'to holding the whole people of the district as hostages' for the absconders.

The sympathy shown by the public for these absconders and the help they receive from them suggest that the administration has forfeited the confidence of the people of District. It is tragedy that the Governor fails to realise it.

It is impossible for Congress workers to carry on their work of restoring peaceful atmosphere in the District, unless they receive some help from the bureaucracy.

How long is the present terror to continue? Cannot the Government call a halt in the name of good government. After all, even the present autocracy must in the ultimate issue depend on the co-operation of the people.

¹ Governor's speeches delivered on 24 September and 3 October 1945.

SECTION II: POLITICS AND ELECTIONS

50. Pakistan is Only Election Stunt

Speech by Sheikh Hissamuddin, President, All India Majlis-i-Ahrar, Lahore, 8 October 1945.

Hindustan Times, 10 October 1945.

Pakistan is nothing short of a fraud which is being played upon credulous Muslims in the abnormal conditions created by the war and through direct and indirect help and encouragement by the British bureaucracy in India and the diehards in England.

The Muslim League was patronized by non-officials and officials as a political organization. Both the Congress and the Government acknowledged its representative character and negotiated with it although there were other Muslim organizations too. Despite this Mr Jinnah insisted that the Muslim League be recognized as the sole representative body of the Muslims. This attitude of Mr Jinnah is unstatesman like and creates doubts and suspicions in many minds that he does not mean business. He asked for elections, knowing full well that he had succeeded in poisoning the minds of the public. The Government has given him elections.

But, the latest Attlee-Wavell plan is based on the Cripps proposals which were rejected by all parties, the chief objection of the Muslim League to them being that they gave self-determination only to the provinces and not to the Muslims. That position still remains. Is the Muslim League going to fight against the British on this issue which has been forced upon it despite its support to the war efforts? Why is the League leadership silent on this important point? But the League leader still insists that he will fight the election on the issue of Pakistan and on the claims of the League as being the sole representative of the Muslims. Here is a test of the sincerity of the League and its leadership.

In facing the real issue the League should categorically denounce the British Government and declare that it would fight them in Pakistan. But the Muslim Leaguers are silent because they cannot go to that length. Instead, they are simply trying to go to the Assemblies in order to capture power which, I feel, they are not going to use for the Muslim masses but for the vested interest that compose the League which is dominated by capitalists.

What I could gather is this that the League wants self-determination for Muslims where they are in a majority. The question naturally arises whether this right of self-determination should be reserved only for the Muslims or for the other communities as well. The Muslims usually reside in a minority beyond Gujranwala district to the north and north-west. In the eastern Punjab the Jats are sure to claim a separate unit for themselves. Similarly the Sikhs would claim the Central Punjab. What will be left of the Punjab then? And what hope of progress will be left for Muslims? That is the chief reason why the Muslim League is silent and does not even explain its Pakistan scheme? It knows that it cannot stand honest criticism and the post-mortem that are sure to follow.—API.

51. Communists and Elections

P.C. Joshi's statement, 12 October 1945.

Annual Register of India 1945, Vol. II, pp. 121–22.

Our election policy is based on the fact that in spite of very serious differences with the Congress and the Muslim League we recognise them as major patriotic organisations and will generally support both where we do not put up our candidates. We will put up our own candidates in almost all labour seats to show that the party is the accepted leader of the working class. We will contest such rural seats, both general and Muslim, where we form the existing majority of the people and to make others see the unity, strength and vitality of the organised Kisan movement. In those Muslim seats, where the Party is not putting up its candidates, we will support the Muslim League against all rivals. If a notorious hoarder or hated enemy of the people stands as a Congress or a League candidate, the Party will, of course, not campaign for him.

We will demand that the constitution-making body should be based on three principles: firstly, universal adult suffrage, secondly, sovereign Constituent Assemblies for each national area, and lastly, the delegates to the Constitution-making body be elected by these sovereign Constituent Assemblies. We will also campaign for freedom to States' subjects by the application of the principles of self-determination and adult suffrage.

The Communist Party is not putting up candidates for the Central Legislative Assembly as, in the opinion of the party, 'the electorate forms less than one per cent of the population of the country'. The Central Committee of the Party will meet in the first week of November to make final selection of candidates.

Elections Programme

The Communist Party's election programme for a 'free and happy India' makes the following points:

In a free India: there should be freedom for all; there should be freedom for the subjects of all the Indian States; there should be food for all and the land should belong to the peasants; there should be planned industrial expansion; there should be no opposition to untouchables.

The Party will propagate the following programme:

- (a) Abolition of landlordism, nationalisation of land, re-distribution of land to make the uneconomic holdings of the poor peasants into consolidated economic holding and to make large-scale co-operative farming possible.
- (b) Usury to be banned. All agricultural credit to be only through co-operative state banks
- (c) Private trade in people's food will be banned. People's State to ensure direct purchase from the peasant at fair prices.

- (d) Large-scale mass peasant initiative to be directly aided by the people's State for starting a net-work of co-operative sales and purchase societies to buy from the peasant his surplus produce at a fair price and making available to him his daily necessities at cheap rates.

The party will demand that popular Ministries should immediately enforce the following urgent steps as interim measures to increase food production, give prompt relief to the poor peasant-producer and get from the 'parasitical landlord' a part of his 'ill-gotten gains' to start village rehabilitation.

1. Landless labourers to get all the available fallow land whether of the landlord or the Government for producing food-grains.
2. Poor peasants with uneconomic holdings to be given substantial reduction in rental to stabilise their own family economy and to encourage intensified food production.
3. Big landlords to pay over and above the land-revenue a steeply graduated income-tax, so as not to leave an annual surplus of more than Rs 6,000 a year out of the total rental collected by him.

52. Communist Party's Blue Print for a Free and Happy India, Bombay, 12 October 1945

GOI, Home Dept Poll (I) Branch, File No. 97/45-Poll (I), NAI.

Bombay, 12 October. The Communist Party of India has published a blue-print of its election programme for a 'Free and Happy India'.

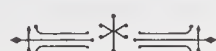
The blue-print makes the following points.

1. In a free India there should be freedom for all.
2. In a free India there should be freedom for the subjects of all the Indian States.
3. In a free India there should be food for all and the land should belong to the peasants.
4. In a free India there should be planned industrial expansion.
5. In a free India there should be no opposition to untouchables.

The Party will propagate the following programme:

- (a) Abolition of landlordism, nationalization of land, redistribution of land to make the uneconomic holdings of the poor peasants into consolidated economic holdings and to make large-scale co-operative farming possible.
- (b) Usury to be banned. All agricultural credit to be mainly through co-operative State banks.
- (c) Private trade in the people's food will be banned.
- (d) Large-scale mass peasant initiative to be directly aided by the people's State for the starting of a new network of co-operative sales and purchase societies to buy from the peasant his surplus produce at a fair price and making available to him his daily necessities at cheap rates.

The party will set up candidates in all labour constituencies and in those rural constituencies for provincial assemblies where it expects to carry the electorate with it. The party will, however, not put up candidates for the Central Legislative Assembly, as, in the opinion of the party, 'the electorate forms less than one per cent of the population of the country'.



53. The Only Thing that Matters is the Question of India's Independence

Khan Gaffar Khan's address at the Khudai Khidmatgar Training Centre in NWFP, 16 October 1945.

Tribune, 19 October 1945.

Peshawar, 16 October. 'The only thing that matters with me is the question of India's Independence. Unless we purify our selves and focus our attention on this sole objective, I assure you all, we would never be able to free our motherland from the foreign yoke' observed Khan Abdul Ghaffar Khan while addressing a gathering of Khudai Khidmatgars, who assembled at the Training Centre, Sardaryab.

Continuing, he paid a glowing tribute to the workers for the willing sacrifices made by them at his call and proving to the outside world that Pathans as a whole had always been in the forefront of the freedom movement. 'But you people must realise that all this is not enough,' he added, 'and the country requires from every son and daughter every ounce of blood and the last pie he or she possesses. I therefore, take this opportunity of appealing to you and others to give every kind of financial help to our organisation and strengthen its hands by honest efficient and selfless work.'

The Frontier Gandhi placed before the delegates his organizational programme which urged all Khudai Khidmatgars to undergo a course of training, to lead an active life, doing all kinds of manual work and collecting the finances of the Khudai Khidmatgar organisation to make it a self-sufficient unit.

Regarding the training scheme he explained that for the present he was wholly engaged in the construction of the training school at Sardaryab, after the completion of which he intended to call a batch of workers from every district from time to time and impart to them regular training on various subjects such as religion, politics, civics and science, etc. The main purpose behind all this was that a Khudai Khidmatgar might thoroughly understand the current topics of the day, have self reliance, self-sufficiency and a good deal of practical knowledge and last but not the least, inculcate the habit of simple and clean living. Most of the people, he said, were being fooled by the so-called intelligentsia for their own selfish interests and it was his wish that at least the Khudai Khidmatgars who had a great mission in life, should have his own well-considered convictions and he should not be deceived.

The United Press representative who went to Sardaryab was informed that nearly 60 Khudai Khidmatgar workers from all over the province, including the Salars of the district had come to attend this camp, which was previously indefinitely postponed because of the sudden departure of Khan Abdul Ghaffar Khan to Poona and Bombay to attend the meetings of the Congress Working Committee and the AICC Session last month.

Khan Amir Mohamaad Khan, Chief Parliamentary Secretary, Khan Amin Jan Khan, Salar-i-Azam, Messrs Abdul Ghani Khan and Abdul Wali Khan sons of Badshah Khan were present at the camp and would stay at Sardaryab till the training period was over, next week.

Dewan Bhanju Ram Gandhi, Finance Minister, also reached there after the conclusion of the meeting and was immediately closed with Khan Abdul Ghaffar Khan for about half an hour. Asked by the United Press as to what transpired between him and Badshah Khan, Dewan Sahib said that some questions about the coming elections were discussed, the nature of which, it was yet premature to divulge.

It is further learnt that a general discussion took place on organisational matters. The question of elections also came up for discussion and some of the members expressed their individual opinions. Khan Abdul Ghaffar Khan was ultimately requested by the gathering to conduct the

election campaign in the province. In reply to this he explained in detail the stand he had taken with regard to the election and appealed to them to satisfy him on certain specified points.—UPI.

54. A Change of Government has had Little or No Effect on British Policy

Azad's statement, 17 October 1945.

Hindustan Times, 19 October 1945.

Calcutta, 18 October. Maulana Abul Kalam Azad, the Congress President, said on 17 October 1945 that the statement of the Under Secretary of State of India in the House of Commons, on 16 October, 1945 that anything like a general amnesty for political prisoners was not considered desirable—'offers further proofs that a change of Government in England has had little or no effect on British policy towards India'.

Maulana Azad characterised Mr Arthur Henderson's replies as 'singularly unfortunate and ill-advised'.

The Congress President further said: 'The Labour Party has always claimed to be friendly to Indian independence, but how can Indians retain their confidence in the Labour Party and believe in its good faith and sincerity in the face of the attitude revealed in Mr Henderson's replies?'

'In answer to a question for the release of all political prisoners and detenus, the Under-Secretary of State for India repeated the old and familiar pleas of gradual release and further stated that only persons suspected of complicity in terroristic activity have still been detained. This reply is both "incorrect and incomplete". Still in detention are many who have never been even "suspected of terroristic activity" during the disturbance of 1942 or indeed at any time. To mention only one case, I would like to refer to Maulvi Ashrafuddin Ahmed Choudhury, a leading Muslim Congressman of Bengal, and his is by no means a solitary instance.

'The excuse that general amnesty of political prisoners is not desirable because of the impossibility of distinguishing between political and other offences, will not bear a moment's scrutiny. The authorities in India know, as well as the public, which are cases of crime and which are of defiance of law on political grounds. They also know, as perhaps Mr Henderson does not, that the sentences in the case of political defiance have often been savage and vindictive. How else is one to explain the sentence of 10 years' rigorous imprisonment on Mr Jagat Narayan Lal, a former Minister of the Bihar Government?'¹

'The self-complacency about the reduction in the number of detenus and political prisoners and the assurance about further progressive release are true to the style of Mr Churchill's Government and it is doubtful if even Mr Amery could have improved upon Mr Henderson's dictum that a general amnesty is not desirable.'—API.

¹ Actually ex-Parliamentary Secretary, Editor.

55. Tremendous Enthusiasm for Congress in Bihar

Rajendra Prasad's statement, 20 October 1945.

Leader, 21 October 1945.

I have undertaken a somewhat strenuous tour to the province. I felt it was necessary that I should meet the people after the long absence and help if possible in setting on foot the Congress organisation in accordance with its constitution.

I have spent only two days in this business in the district of Saran where I had gone for a short rest. The experience which I had has filled me with hope and enthusiasm.

During my long experience of the province I have never seen such enthusiasm among the people as was exhibited, not only by slogans but also in a more substantial way by subscribing to the fund which the Working Committee of the Bihar provincial Congress Committee has opened for the relief of political sufferers.

I was greeted during my journey to my village home and in my tour yesterday at all railway stations by large crowds. They had not been asked to come prepared to respond to my appeal for funds. Yet when I accidentally made such an appeal at Pahlezaghat the response was so splendid that I could not thereafter refrain from repeating it at every station.

The enthusiasm at the big meeting at Chapra was unsurpassed by any previous meeting that I had addressed there. The target for the district was fixed by the Working Committee at Rs 25,000; the purse that was presented came to Rs 21,000. Babu Mahamaya Prasad, the President of the District Congress Committee, made an appeal that the target should be reached and within the few minutes that I could spare, money poured in and I believe the quota was contributed, if not exceeded.

There is a great demand for Congress membership forms from everywhere and I am sure the numbers enrolled will be larger than in any previous year. I believe this gives us also a forecast of the election results, but it is no use speculating about it at this stage.

So far as the general constituency seats are concerned, nothing need be said, but there are some people who, I am told, are under the impression that the Congress would not contest special constituency seats, such as Commerce, etc. All that I need state at present is that such an impression is wrong and no one should commit himself either to stand as or to vote for any particular candidate under this wrong notion but should wait for the authoritative announcement of the list of Congress candidates.—API.

56. Congress General Secretary's Circular to Pradesh Congress Committees, 25 October 1945

AICC Papers, File No. 1/379, NMML.

To

25 October 1945

All Provincial Congress Committees,

Dear Friend,

I would again draw your attention to Circular No. 1¹ of this office. From reports in the newspapers I find that the main activity of Congressmen at present is confined to the forthcoming elections. Considering the attitude of the Government this narrowing of Congress activities to the parliamentary programme is scarcely justified. We may not forget our companions in jail who apart from their prolonged incarceration are subject to much harsh and humiliating treatment; many of them are known to have suffered in health. Sri Ram Manohar Lohia's father, who had an interview with him in jail, publicly complained that his son had lost forty pounds in weight. Sri Ram Manohar Lohia's is not an isolated instance. Hundreds of our colleagues are suffering in various ways.

You know the attitude of the Government towards war prisoners of the INA and those who belong to this category, made prisoners in the West. We consider that such of these prisoners who were not compelled by circumstances to join the axis forces were motivated by as great a love for the freedom of India as the best of us. In all freedom fights, the world over, patriots have sought

outside help to free their country from foreign yoke. When Churchill said that if need be his government would retire to America and wage war against Germany from there and free his country, he counted upon foreign help. If England had been occupied by Germany, Churchill and his Colleagues would have gone at the head of a mixed force of Englishmen and Americans to invade England. Such an invasion, in spite of foreign help could not have been considered as a foreign invasion. Nor in that case would Mr Churchill and his colleagues been considered as the 'King's Enemies'. They would have been rightly considered as patriots fighting for the freedom of their country. As long as foreign rule lasts in India, patriots in desperation will be obliged to seek foreign help. To style such undoubted patriots as enemies of the country and criminals, is to pervert the meaning of words to suit selfish and morally and politically unjustified ends. Such camouflage can deceive nobody, much less than Indians.

You also know how Indian soldiers are being used against patriots in Indo-China and Indonesia to re-institute in these Asiatic lands the rule of imperial France and Holland. The British authorities and their Indian henchmen have always indignantly protested against Indian soldiers being called mercenaries. The Indian soldier is paraded as a volunteer who is fighting for his hearth and home and for Justice and democracy. For whose hearth and home and for what variety of justice and democracy, is the Indian soldier being used in Indo-China and Indonesia? The plain and unvarnished fact is that he is fighting as a mercenary at the bidding of his masters to aid French and Dutch Imperialism and to drive back the native population to their old slavery. The Indian soldier is fighting undoubted patriots and helping imperialism. He is helping Imperialism to play successfully the game that the Fascist powers tried to play unsuccessfully in Europe and Asia. Bad as slavery is, it is much worse to be made the instrument for the enslavement of other people. Our slavery under such circumstances become a public nuisance and an international danger. By repeated resolutions of ours we have protested against this prostitution of Indian troops for foreign and imperial purposes; but our protests have fallen on deaf ears.

You know what is being done in the matter of elections and how every administrative device is used to see that the popular side does not get a free and unhampered vote. In spite of the talk of 'forgive and forget' the ban on the ex-premier of Utkal to stand as a candidate in the forthcoming elections remains. Recently the applications of Sri T. Prakasam, the Ex-minister and Sri M. Bhagtavatsalam, the Ex-parliamentary secretary of Madras to be enrolled as voters for the Provincial legislature were rejected on the plea that jail is no residence. Evidently those in jail are not supposed to have lived in this land!

All these things indicate that there is no desire on the part of British Imperialism to part with power. In this there is little difference between Conservative Churchill and Labourite Attlee. The present elections were devised merely to gain time. We have therefore to rely entirely upon ourselves and organise the country for all possible exigencies. A nation out to achieve liberty cannot rest till the goal is achieved. It must be ready whenever the call comes. But the call can be effectively responded to only by a healthy and strong organisation.

The first thing in that direction at present is the perfecting of our organisation. Towards this end the campaign for the enrolment of Congress members must be intensified. The time at our disposal is short. We must therefore hurry up. We may also not neglect the constructive programme, which more than the parliamentary programme, helps the country to organise itself. Without, therefore, neglecting the forthcoming elections, let us direct every ounce of our energy in these two tasks.

You will please send your suggestions, as early as possible, about the changes that you would like to be incorporated in the present constitution of the Congress to make our organisation more efficient and powerful. You may set up, if necessary, a committee for this purpose.

You will keep us periodically informed about programme of Congress work in your province.

Yours sincerely,
J.B. Kripalani
General Secretary

¹ See Document 44.

57. The Congress Election Manifesto for Central Legislative Assembly Election Issued on 26 October 1945

Hindustan Times and Bombay Chronicle, 27 October 1945.

The Central Election Board of the Indian National Congress has been authorized to publish the following manifesto which has been issued by the Working Committee in accordance with the directions given by the AICC session held in Bombay in connection with the ensuing elections to the Central Legislative Assembly.

For 60 years the National Congress has laboured for the freedom of India. During this long span of years its history has been the history of the Indian people, straining at that has held them in bondage, trying to unloose themselves from it. From small beginnings it has progressively grown and spread in this vast country, carrying the message of freedom to the masses of our people in towns as well as in the remotest villages. From these masses it had gained power and strength and developed into a mighty organisation, the living and vibrant symbol of India's will to freedom and independence. From generation to generation it has dedicated itself to this sacred cause, and in its name and under its banner innumerable countrymen and countrywomen of ours have laid down their lives and undergone sufferings in order to redeem the pledge they had taken. By service and sacrifice it has enshrined itself in the hearts of our people; by its refusal to submit to any dishonour to our nation it has built up a powerful movement of resistance to foreign rule.

The career of the Congress has been one of both constructive efforts for the good of the people and of unceasing struggle to gain freedom. In this struggle it has faced numerous crises and come repeatedly into direct conflict with the armed might of a great Empire. Following peaceful methods, it has not only survived these conflicts but has gained new strength from them. After the recent three years of an unprecedented mass upheaval and its cruel and ruthless suppression, the Congress has risen stronger than ever and more loved by the people, by whom it has stood through storm and stress.

The Congress has stood for equal rights and opportunities for every citizen of India, man and woman. It has stood for the unity of all communities and religious groups and for tolerance and goodwill between them. It has stood for full opportunities for the people as a whole to grow and develop according to their own wishes and genius, it has also stood for the freedom of each group and territorial area within the nation to develop its own life and culture within the larger framework, and for this purpose such territorial areas or provinces should be constituted, as far as possible, on a linguistic and cultural basis. It has stood for the rights of all those who suffer from social tyranny and injustice and for the removal for them of all barriers to equality.

The Congress envisaged a free, democratic State with the fundamental rights and civil liberties of all its citizens guaranteed in the constitution. This constitution, in its view, should be a federal one with a great deal of autonomy for its constituent units and its legislative organs elected under universal adult franchise.

One hundred and fifty years and more of foreign rule have arrested the growth of the country and produced numerous vital problems that demand immediate solution. Intensive exploitation of the country and the people during this period has reduced the masses to the depths of misery and starvation. The country has not only been politically kept under subjection and humiliated, but has also suffered economic, social, cultural and spiritual degradation. During the years of war, and even now, this process of exploitation by irresponsible authority and complete ignoring of Indian interests and views has reached a new height, and an incompetence in the administration, leading to terrible famine and widespread misery among our people. There is no way to solve any of these urgent problems except through freedom and independence. The content of political freedom must be both economic and social.

The most vital and urgent of India's problems is how to remove the curse of poverty and raise the standards of the masses. It is to the well-being and progress of these masses that the Congress has directed its special attention and its constructive activities. It is by their well-being and advancement that it has judged every proposal and every change and it has declared that anything that comes in the way of the good of the masses of our country must be removed. Industry and agriculture, social services and public utilities must be encouraged, modernized and rapidly extended in order to add to the wealth of the country and give it the capacity for self growth, without dependence on others.

But all this must be done with the primary object and paramount duty, of benefiting the masses of our people and raising their economic, cultural and spiritual level, removing unemployment and adding to the dignity of the individual. For this purpose it will be necessary to plan and co-ordinate social advance in all its many fields, to prevent the concentration of wealth and power in the hands of individuals and groups, to prevent vested interests inimical to society from growing and to have social control of the mineral resources, means of transport and the principal methods of production and distribution in land, industry and in other departments of national activity so that free India may develop into a co-operative commonwealth.

In international affairs the Congress stands for the establishment of a world federation of free nations. Till such time as such a federation takes shape, India must develop friendly relations with all nations, and particularly with her neighbours on the east and west and the north. In the Far East, in South-East Asia and in Western Asia, India has had trade and cultural relations for thousands of years, and it is inevitable that with freedom she should renew and develop these relations. Reasons of security and future trends of trade also demand these closer contacts with these regions. India, which has conducted her own struggle for freedom on a non-violent basis, will always throw her weight on the side of world peace and co-operation. She will also champion the freedom of all other subject nations and peoples, for only on the basis of this freedom and the elimination of imperialism everywhere can world peace be established.

On 8 August 1942, the All-India Congress Committee passed a resolution, since then famous in India's history. By its demand and challenge the Congress stands today. It is on the basis of this resolution and with its battle-cry that the Congress faces the elections for the Central and Provincial Assemblies.

The Central Legislative Assembly is a body with no power or authority and is practically an advisory body whose advice has been constantly flouted and ignored. It is completely out of date and is based on a very restricted franchise. The electoral registers for it are full of errors and omissions and no opportunities for correcting or adding to them have been given. Large numbers of our countrymen are still in prison and many others, who have been released, are disqualified from standing for election. Obstructions in the way of holding public meetings still continue in many places.

Yet, with all these and other handicaps and drawbacks, the Congress has decided to contest the elections to show that the inevitable result of elections, however restricted, must be to demonstrate the overwhelming solidarity of the opinion of voters on the issue of independence. Therefore, in this election, petty issues do not count, nor do individuals, nor sectarian cries—only one thing counts; the freedom and independence of our motherland, from which all other freedoms will flow to our people.

So the Congress appeals to voters for the Central Assembly all over the country to support Congress candidates in every way at the forthcoming elections, and to stand by the Congress at this critical juncture, which is so pregnant with future possibilities. Many a time the people of India have taken the pledge of independence; that pledge has yet to be redeemed, and the well-beloved cause for which it stands and which has summoned us so often, still beckons to us. But the time is coming when we shall redeem it in full, not by election but by what comes after it.

Meanwhile, this election is a small test for us, a preparation for greater things to come. Let all those who care and long for the freedom and independence of India meet this test with strength and confidence, and march together to the free India of our dreams.'—API.

58. Unionist Party to Support the Muslim League's Lahore Resolution (1940) But Also to Work for an Inter-communal Administration in the Punjab

Khizr Hyat Khan, Punjab Premier, Lahore, 27 October, 1945.

Hindustan Times, 28 October and *Tribune* 29 October 1945.

In view of the approaching elections, persistent attempts are being made to confuse the minds of Muslim electors by misrepresenting the differences that divide the All-India Muslim League and Muslim Unionists in the Punjab. I have on several previous occasions attempted to clear the position and to put the matter beyond doubt, but those whose sole anxiety is to break up the Unionist Party rather than to serve the Muslim cause can ill-afford to throw away their principal weapon of offence which is deliberately to misrepresent Muslim members of the Party and its leader as untrue to the Muslim cause. I, therefore, consider it necessary to clear the position again on this issue.

It may be stated categorically that there is no difference between the All-India Muslim League and the Muslim members of the Unionist Party on the question of the objective to be achieved so far as the constitution is concerned. We are all united in support of the Lahore resolution of the League. In the course of my statement issued on 6 June 1944, commenting on the decision of the Muslim League Committee of action to expel me from the membership of the League, I said: 'As far as the Muslim ideal of self-determination as embodied in the Lahore resolution, popularly known as the Pakistan resolution, is concerned, the Committee of Action's present decision does not affect in any way my wholehearted support for it. Whether I remain in the Muslim League or not, I shall do all I can to help my community's efforts to realise this ideal.'

I should have thought that this would dispel all doubts with regard to my attitude towards what is popularly known as Pakistan, but those into whose hands the destinies of the Muslim League in the Punjab have for the moment been entrusted appear to think that the only card that they can successfully play in provincial politics is to try to persuade the Muslim public to believe that my Muslim colleagues in the Unionist Party and myself have repudiated the Lahore resolution. This is the direct reverse of the truth.

The Unionist Party and the Zamindara League leave their members at liberty to expound, hold and advocate whatever views they choose on communal issues in all-India politics and on the question of the Indian constitution. This means in effect that while Muslim members of the Party are firm and uncompromising supporters of the right of self-determination as embodied in the Lahore resolution of the League, Sikh and Hindu members are free to lend their adherence to any other kind of constitution for India, which may have a greater appeal for them. This is the only basis upon which in the Punjab an inter communal party can be organised and run successfully, and this forms the crux of the difference between the Muslim League and members of the Unionist Party.

While, therefore, Muslim members of the Unionist Party yield to nobody in their support of the Lahore resolution of the League, they do not join issue with the Muslim League on the question of the provincial administration. They believe that as things stand in the Punjab today it is essential in the best interests of Muslims as well as of non-Muslims and therefore of the province as a whole that there should be in the Provincial Legislature a party representing an inter-communal combination based on identity of economic needs and interests and a common economic programme such as the Unionist Party has in the past pursued in the Punjab Legislature and is resolved to pursue in the future. In this connection, it must be remembered that while the Muslim proportion in the population of the province is 57 per cent, the strength of Muslim representation in the Legislative Assembly is 51 per cent.

It is absolutely clear that this does not permit, even if it were otherwise desirable and feasible, the formation of a Government merely on the strength of Muslim membership. This will be so as long as the Punjab retains its present boundaries whether as part of India as at present constituted or as part of the Pakistan State. There must be co-operation with other communities if a stable ministry is to be formed, and such co-operation can only be secured on the basis of a common economic programme. This programme has been provided by the Unionist Party since 1923 and has given satisfaction to the province.

As against this, the Muslim League has neither plan nor programme to offer. The whole emphasis on behalf of the Muslim League is open separation, which would mean that in the Punjab Legislature there would be no political party commanding an effective majority and there would be very little chance at any time of a stable ministry being formed. This state of affairs would not only be most detrimental to the best interests of the people of the province as a whole but Muslims as forming a majority of the population and representing a majority in the Legislature would stand to lose more than any other community.

The Unionist Party and the Zamindara League are combinations of Muslims, Hindus, Sikhs and others, who, while holding somewhat divergent views on the future constitution of India, are all agreed on certain principles and policies which should govern the provincial administration under the present Government of India Act. As I have said above, Muslim Unionists are firm supporters of the Lahore resolution of the league and the real issue, therefore, between a Muslim Unionist and a Muslim Leaguer, who might be opposing each other in the forthcoming elections, is not that of Pakistan at all because there is no disagreement on that, but whether parties in the Provincial Legislature should be purely communal or based upon community of economic interests.

While the Muslim Unionist supports a sound economic programme which would also ensure a stable ministry the Muslim Leaguer is committed to a policy which cannot but lead to frequent breakdowns of ministries with intervals of Section 93 administration, resulting the increasing bitterness and hostility between the various communities of the province.

The choice before the Muslim voter is not whether to vote for Pakistan or not because he will be voting for Pakistan whether he votes Muslim Unionist or votes Muslim League, but the choice

he has to exercise is between chaos, disorder and communal bitterness on the one side, which is the only prospect held out by the Muslim League group, and a stable and beneficent provincial administration offered by Unionists in the interests of the masses to which the majority of Muslims in the province belong.

I would, therefore, invite Muslim electors of the province to record at the forthcoming elections a considered judgment on the relative merits of the policies and programme offered by Unionists and Muslim Leaguers. Once the field is clear of all misrepresentation and the real issue is clearly and firmly grasped, I have not the slightest doubt what the verdict of the electorate will be.—API.

59. Pakistan Issue is No Issue for Muslim Minority Provinces

Syed Abdul Latif, 27 October 1945.

Tribune, 31 October 1945.

Bezwada, 29 October. Dr Syed Abdul Latif¹ said in a public meeting here yesterday that the Pakistan issue was no issue of the Muslims of the minority provinces like Madras. It was directly an issue for the Muslim majority provinces in the north-west and north-east. The issue that really mattered to the Muslim minorities was one of hunger, poverty and unemployment and of the share they shall have in every post-war scheme of reconstruction such an industrial, agricultural, social, educational and administrative and of adequate constitutional safeguards, assuring them of an honourable position in the public.

Dr Latif pointed out that these were not ordinary elections. Issue of supreme importance to the future of India were to be decided now by her own people. He, therefore, urged every party in the country to let every other exercise its right of free expression. He regretted that the atmosphere prevailing in the country was not conducive to quiet thinking or a free expression of one's own views. Indications were not wanting to signify that the forthcoming elections would be fought on a very low plane. Slogans might have a value if they embodied a principle for which a party stood, but when slogans took the form of curses and denunciations of leaders of rival organisations, and led to hooliganism, they were distinctly harmful, ultimately to the party itself.

On the question whether India should remain united on some agreeable basis or permanently partitioned, Dr Latif asked the Muslims to consider in what way any independent Pakistan, having no organic connection with the rest of India would be of help to the Muslims of South India. He knew that League leaders were saying that after partition, Pakistan and Hindustan would enter into a compromise or a treaty of friendship to safeguard the interests of the Muslim minorities of Hindustan. Was that a sensible expectation? He asked. When after long years of waiting, the Hindus and Muslims had not come together or developed the mood for compromise he wanted to know if after absolute partition, they could expect to grow suddenly friendly towards each other and enter into a treaty of mutual obligations. Suppose the independent Hindustan refused to enter into a treaty at all with Pakistan, who then was to settle question of safeguards for the Muslim minorities in Hindustan, he asked. Dr Latif appealed to the Mussalmans of not only Madras but of all Muslim minority provinces to seriously reflect over the way they were being led by the leaders of the Muslim League.—API.

¹ Syed Abdul presided over the meeting called by Muslim Majlis, Bezwada.



60. Another Struggle Ahead

Patel's warning Bombay, 31 October 1945.

Tribune, 2 November 1945.

Bombay, 31 October. 'The Congress is not going to sit quiet after the elections and wait on the convenience and pleasure of the British Government. The Congress will demand an immediate and final solution of the Indian problem. If such a solution is not forthcoming and if the British Government try to put further obstacles in the way of India's progress, sure as day follows night, there will follow another struggle. The country is beaming with enthusiasm for speeding up its onward march to freedom. No one, not even the mighty British Government, can stop the people of India from attaining their freedom,' declared Sardar Vallabhbhai Patel, at the public reception to him at Bombay in connection with his birthday celebrations.

The reception was held at Gowalia Tank maidan where the 'Quit India' resolution was passed in August 1942, and re-affirmed in 1945 by the All-India Congress Committee.

The Sardar said that the Government ought to make the members of the Indian National Army the nucleus of the new Indian Army to be created with 100 per cent Indian personnel.

Proceeding the Sardar said: 'India is determined to be free and she shall be free very soon. I have no specific plan or proposals to place before you now. I can only ask everyone of you to do your duty during the forthcoming elections and see that the Congress sweeps the polls. Once we do this, there will be time enough to think of what our step should be. The country has to get ready, not only for the elections, but also for the struggle which is ahead. What is wanted is solid work and preparation and not talk. When the time for action comes, and the time for action may come soon, we must be able to act as one man.'

The Sardar asked if the British Government could agree to the postponement of the trial of Mr John Amery, the son of the erstwhile Secretary of State for India, and who did German propaganda against Britain, why should not the Government of India agree to a postponement of the trial of the members of the Indian National Army who, in the opinion of all Indians, were a body of disciplined soldiers, determined to win the freedom of their motherland? They were prepared to lay down their lives in the cause of India's freedom. These were real heroes in the eyes of the people of India and yet Indians were told by the Viceroy and the agents of the British Government of India that the trial could not be postponed because the course of justice should not be delayed or obstructed. The Sardar wanted to know what was the sense of justice on the part of those who insisted on trying men who were regarded as great patriots by their own kith and kin. The Sardar repeated the suggestion that he made earlier at the merchants' meeting that the Government ought to make the members of the Indian National Army the nucleus of the new Indian Army to be created with hundred per cent Indian personnel.

Earlier Sardar Patel said: 'Quit India will be the battle-cry of the Congress during the forthcoming elections.' The Sardar was emphatic that the Congress this time was not going to go begging for votes from the people for the Congress candidates. That stage in the national struggle had already passed. The people knew well who their friends and benefactors were and there was no need to tell them what the Congress stood for. British imperialism had entrenched itself in India behind the screen of the so-called communal differences. The time had gone when the people of the country could be deceived about British intentions. British intentions were well known. Everyone in the country knew that a change of Government in England in no way affected the freedom movement in India. The Labour Party coming to power, had only aggravated India's long-standing grievances.

The Sardar made it quite clear that the Congress was still a revolutionary organisation, determined to fight for the freedom of the country, irrespective of the sacrifice involved. The Congress had not much faith in the parliamentary programme. The elections to the Central and Provincial Assemblies came as a challenge to the Congress from the new Labour Government in England and the Congress took up the challenge. The Labour Government would soon realise, if they had not already done so, who represented the people of India and whom the people of India returned as their trusted representatives to the legislatures.

An address enclosed in a silver casket was presented to the Sardar on behalf of the citizens of Bombay. Mr J.B. Kripalani, General Secretary of the Indian National Congress presided on the occasion. The address was printed on an embroidered piece of hand spun silk and was enclosed in a beautiful silver casket weighing 1,600 tolas. On the top of the casket were engraved the figures of Mahatma Gandhi with Sardar Patel marching on his right. The maidan was packed to capacity, where special arrangements had been made for women and children.

The citizens' address declared: 'It is as a man of action that the nation honours you. Your first intimate contact with politics and Mahatma Gandhi came a quarter of a century ago when you stood in defence of the accused during the martial law regime in Ahmedabad in 1919. Since then you have never looked back. You sacrificed a brilliant career at the bar to dedicate yourself to the service of the country. The presidentship of the Gujarat Provincial Congress Committee, the membership of the Congress Working Committee, the leadership of the Congress Parliamentary Board, the presidentship of the Congress at Karachi—all these have been regarded by you as too many opportunities to serve the nation on its onward march to freedom. These services have been great and invaluable and have won for you the affection and admiration of a grateful nation.'

Acharya Kripalani in presenting the address paid a tribute to Sardar Patel's leadership and said the secret of the Sardar's success as a national leader was due to his sense of discipline and loyalty to the organisation to which he belongs. He added: 'He is intensely patriotic devoutly devoted to the cause of Indian freedom and constant in his efforts to keep the flame ever burning. He is not an internationalist, but he is a staunch Indian nationalist to whom India's freedom comes above everything else.'

Mr Kripalani referred to Lord Wavell's plea for forget and forgive on both sides, and said so far as the Congress was concerned there was nothing to be forgiven and there was everything to be remembered. The score was heavy on the Government's side and they had much to apologise to the nation for what they had done during the last three years.

Praying for long life and good health for Sardar Vallabhbhai Patel, Mr Kripalani said that the nation was in dire need of the Sardar's leadership not only for the purpose of achieving the freedom of the country, but also to put the nation on the right path after freedom had been won.

Sardar Patel was garlanded on behalf of over 750 commercial, social and political, students and women's organisations.

61. Jinnah Reveals League's Plan After Elections

Interview to the Associated Press of America, dated Bombay, 1 November 1945.

GOI, Home Dept, Poll Branch, File No. 97/45, NAI.

Bombay, 1 November. Mr M.A. Jinnah, President of the All-India Muslim League, predicted today sweeping victory at the polls for the forces of Pakistan and discussed his plans for a separate Muslim nation and steps to be taken to achieve it in the event of election triumphs of which he spoke.

In an interview with the Associated Press of America, Mr Jinnah said he based his prediction of Muslim League victory upon surveys by 'competent' election analysts and added that 'not one, but several such surveys were made'.

The Muslim leader declared in his flawless English that he was confident the League would score convincing victories at the polls in Bengal, the Punjab and also in the North-West Frontier provincial elections which neutral observers had characterised as 'doubtful' areas where the vote might be close. He predicted the Muslim League would sweep a top-heavy majority of the Muslim seats in the Central Assembly. 'In Bengal,' Mr Jinnah said, 'I am greatly confident that the League will win a majority, perhaps an overwhelming majority of the 119 seats for Muslims in the Bengal Legislature.'

With 85 seats open to Muslims in the Punjab Provincial House, he said, 'here again we are confident we will carry away an overwhelming majority.'

Flatly he predicted that the Muslim League would prove itself the majority party in the North-West Frontier legislative election.

Mr Jinnah dwelt at length upon objectives of Pakistan and his reason for crusading for it, terming Pakistan 'the one issue in these elections'.

He described the Congress Party as campaigning for a 'United India which cannot be united in the way Congress wants,' and predicted the final counting of the votes would show that 'the Muslim League and not the Congress Party speak for the majority of Muslims in India.'

'We (the Hindus and Muslim) are different in everything,' the League leader continued, 'We differ in our religion, our civilization and culture, our history, our language, our architecture, music, jurisprudence and laws, our food and our society, our dress—in every way we are different. We cannot get together only in the ballot box.'

'The Hindus want it (unitary government),' he asserted, 'because in that case they would have a perennial majority of three to one and thus one society with its majority would rule the other society or nation, namely, Muslims who would be in a minority always.'

'Simply stated, we contend "let us live our life; let you live your life,"' Mr Jinnah continued, 'the Muslims in their own country or Pakistan, distinct and separate from the country of Hindustan.'

Mr Jinnah said he could not agree with critics of Pakistan plan who contend it is unworkable, because it would set up one section in north-western India and another section in north-eastern India, each a sort of "island" separated by some hundreds of miles of Hindustan country. He said they could work together smoothly and that problems of administration could be solved without too great difficulty.

Mr Jinnah said that, if, as he predicts, the election demonstrates that the Muslim League speaks for the majority of Muslims India, 'Our next step will be a demand upon Britain for recognition.'

'Britain,' he said, 'already has solemnly said India, united or divided, will have dominion status. It has said that in the case of a division there would be two or more dominions, each with the right to secede any time it likes. If there were two or more dominions, it would be for them to decide whether to secede from the British Commonwealth of Nations.'

'Have you made up your mind that Pakistan should secede?' Mr Jinnah was asked.

'That would be a question for the constitution-making body for the Central Assembly of Pakistan which will be elected by the citizens of Pakistan zones.'—API.



62. Jinnah on Various Aspects of Pakistan

Interview to the Associated Press of America, 8 November 1945.

Jamil-ud-Din Ahmad, *The Speeches and Writings of Mr. Jinnah*, published by Muhammad Ashraf, Lahore, 1947, pp. 230–33.

Mr Jinnah emphasised and re-emphasised that he spoke for himself as a citizen and as President of the League ... But the directing genius of the forces of Pakistan did not intend to try to dictate to the constitution-drafting and legislative bodies of Pakistan and did not want to create an impression that he was trying to do so now.

Some of the highlights of his statements on various phases of the Pakistan controversy may be summed up as follows:

Geographically, Pakistan would embrace all of the North-West Frontier, Baluchistan, Sind and the Punjab Provinces in North-Western India. On the Eastern side of India would be the other portion of Pakistan composed of Bengal and Assam.

Politically, Pakistan would be a democracy. Mr Jinnah said that he personally hoped its major industrial and public utility services would be socialised. The component states or provinces of Pakistan would have autonomy.

Economically, Mr Jinnah contended, Pakistan, divided into two separate zones, is just as sound an undertaking as if it were a country with all of its States in one bloc; that its natural resources and population would be sufficient to make it a great world-power.

Most Powerful State

Declaring that Pakistan would embrace a population of some one hundred million persons, Mr Jinnah added: 'England became power with only a population of 35 million. Pakistan could become one of the most powerful States economically.'

Even now a Muslim League Committee is studying the field for developing the Pakistan States as a nation. There is a great future for it, with its still untouched iron, petroleum, sulphur, coal and other mineral deposits many of which already have been mapped. The Punjab is putting up one of the greatest hydro-electric stations in the world and this will mean a rural electrification and industrial development programme.

There was no merit to contentions that to draw masses of persons into industry would rob farms of needed labour and invite food shortages or famine.

There would be ample revenue from 'equitable taxation, levied in a manner consistent with social justice,' to finance good Government and 'allow us to have a State as good as any in the world and better than many sovereign countries on the map of the world today.'

This would be a Muslim State. As far as the Musalmans are concerned there would be no social barriers of any kind against the Hindus or anyone else. The Musalmans are a people who believe in and act on the basic principle of equality of manhood and fraternity.

Socialisation or Public Utilities and Industries

You are asking me to interpret what the Government will do. But personally, I believe that in these modern days essential key industries ought to be controlled and managed by the State. That applies also to certain public utilities. But what is a key industry and what is a utility service are matters for the law-makers to say, not for me.

No One-Party Government

Mr Jinnah said that he did not expect that Pakistan would have one-party government and that he would oppose one party rule. 'An opposition party or parties are good correctives for any party which is in power,' he said.

'Hindu minorities in Pakistan can rest assured that their rights will be protected. No civilized Government can be run successfully without giving minorities a complete sense of security and confidence. They must be made to feel that they have a hand in Government and to do this they must have adequate representation in it. Pakistan will give this.'

The theory of Pakistan guarantees that federated units of the National Government would 'have all the autonomy that you will find in the constitutions of the United States of America, Canada and Australia. But certain vital powers will remain vested in the Central Government such as the monetary system, national defence and other federal responsibilities.'

Each federated State or province would have its own legislative executive and judicial systems, each of the three branches of Government being constitutionally separate.

National Defence

Britain has been strong with an empire scattered over the globe. We can be strong with a Pakistan which has one of its zones in the west and one in the east of India. We would be more closely knit than the British Commonwealth of Nations.

And do not forget that more than 55 per cent of the Indian Army comes from the Punjab and are mostly Muslims. Supposing that the Muslim League proves in the elections that it speaks for a majority of Muslims in India, he was asked, when would the first moves be made to set up a constitution-drafting body and start the task of founding a country?

British Attitude

That depends on the attitude of the British Government and of the Congress party. The British Government has said it would grant independence to two or more dominions in India. We would have to wait and see.

63. Congress Aims to Establish People's Rule: Asaf Ali

Asaf Ali's election speech in Delhi, 12 November 1945.

Hindustan Times, 13 November 1945.

Delhi, 12 November. 'Before anything else, the Congress stands for the political and economic freedom of the country and of all its people. Whether they be Hindus, Muslims, Sikhs, Christians or those of any other faith. The fullest and harmonious development of all communities is one of the main articles of its political creed. It seeks to serve all without any discrimination, and it is determined to build a structure of society in Free India in which none should suffer from want or fear or exploitation, and in which everyone should have the fullest opportunity for unhindered expression of his or her individuality.' Thus observes Mr Asaf Ali, Congress candidate for the Central Legislative Assembly, appealing to his constituency.

Mr Asaf Ali says: 'Pressure of urgent public work has not permitted me to address you personally, nor I did think it necessary to do so for the great organisation, which I have the honour to represent, has already approached you through the nationalist Press which has generally espoused the cause.'

'I am not a stranger to you; nor is anyone of you a stranger to me. I flatter myself to think that 30 years of continued public activity has enabled me to understand your needs, and you are not

unfamiliar with my views on international, national and local problems. All my life I have humbly striven to serve your and the country's best interests according to the dictates of my conscience and in consonance with well defined principles. It is for you to judge how far I have been of any service to you, to our common country and to the cause of our people's freedom. My sole aspiration and passion in life has been to give my best to the services of humanity and, therefore, first and foremost to the services of my people.

'The political, economic and social ideals, and policies for which the Congress stands have been clearly stated in the Congress manifesto which you must have read. I endorse every word of it. You are not requested to cast your vote for me personally—though incidentally I am there—but for these principles.

'Great problems of colossal magnitude is ahead of us which demand the harnessing of every grain of everyone's mental and physical energy to the task of building up the noble edifice of Free India, in which you, your children and your children's children may live as free and happy citizens for all time to come.

'Difficulties of no mean dimensions have yet to be overcome by wisdom, and constructive efforts and problems which have so far proved baffling, still await solution. It was not without much hesitation that I submitted to the call of the country's foremost national organisation and agreed to seek your suffrage. I knew how much you would expect of me, and I did not know to what extent I could fulfill your expectation. But as it is not the question of an individual but of a powerful organisation seeking your support I as a responsible member of it, may confidently hope to render you more effective service with the aid and prestige of my party than I or anybody else can be expected to do as an individual or even as a member of a minor group in the Assembly. Fortified by this hope, I have ventured to come forward to shoulder the responsibility of representing you in the Assembly: but it is for you to exercise your electoral right as you think best.

'I have a word for those of my constituents who are not Indian Nationals. One who stands for justice stands for the legitimate rights of all alike. No party whose main task is to establish the rule of the people, and one of whose great responsibilities must be to see India take her legitimate place among other great Powers and free nations of the world, can possibly afford to be anything but just to the nationals of other countries.

'Finally I may assure public servants that so long as they are honest, efficient and devoted to the true welfare of the people, they should have no cause for anxiety. They will have all the opportunities of serving the people, to their heart's content with the support and appreciation of the people's representatives. But corruption must wind itself up.

'The Congress stands for planned economy and countrywide constructive schemes, and therefore for an enormous expansion of opportunities for public service. We want employment for all and idleness and want for none.

'If political and economic freedom and honoured citizenship with freedom of conscience have any value your vote will not be wasted.'

64. Constructive Programme: Its Meaning and Place

Gandhi's Foreword to revised edition, Poona, 13 November 1945.

CWMG, Vol. 86, pp. 66–68.

This is a thoroughly revised edition of the Constructive Programme which I first wrote in 1941.¹ The items included in it have not been arranged in any order, certainly not in the order of their importance. When the reader discovers that a particular subject though important in itself in

terms of Independence does not find place in the programme, he should know that the omission is not intentional. He should unhesitatingly add to my list and let me know. My list does not pretend to be exhaustive; it is merely illustrative. The reader will see several new and important additions.

Readers, whether workers and volunteers or not, should definitely realize that the constructive programme is the truthful and non-violent way of winning Poorna Swaraj. Its wholesale fulfillment is complete independence. Imagine all the forty crores of people busying themselves with the whole of the constructive programme which is designed to build up the nation from the very bottom upward. Can anybody dispute the proposition that it must mean complete independence in every sense of the expression, including the ousting of foreign domination? When the critics laugh at the proposition, what they mean is that forty crores of people will never-co-operate in the effort to fulfil the programme. No doubt, there is considerable truth in the scoff. My answer is, it is still worth the attempt. Given an indomitable will on the part of a band of earnest workers, the programme is as workable as any other and more so than most. Any way, I have no substitute for it, it is to be based on non-violence.

Civil disobedience, mass or individual, is an aid to constructive effort and is a full substitute for armed revolt. Training is necessary as well for civil disobedience as for armed revolt. Only their ways are different. Action in either case takes place only when occasions demand. Training for military revolt means learning the use of arms ending perhaps in the atomic bomb. For civil disobedience it means the constructive programme.

Therefore, workers will never be on the look-out for civil resistance. They will hold themselves in readiness, if the constructive effort is sought to be defeated. From one or two illustrations it will be seen where it can be and where it cannot be offered. Political pacts we know have been and can be, but personal friendship with individuals cannot be, prevented. Such friendships, selfless and genuine, must be basis for political pacts. Similarly, centralized Khadi can be defeated by the Government, but no power can defeat individual manufacture and use of Khadi. The manufacture and use of Khadi must not be imposed upon the people, but it must be intelligently and willingly accepted by them as one of the items of the freedom movement. This can be done only from the villages as units. Pioneers even in such programmes can be obstructed. They have had to go through the fire of suffering throughout the world. There is no swaraj without suffering. In violence, truth is the first and greatest sufferer; in non-violence it is ever triumphant. Moreover, men composing the Government are not to be regarded as enemies. To regard them as such will be contrary to the non-violent spirits. Part we must, but as friends.

If this preliminary observation has gone home to the reader, he will find the constructive programme to be full of deep interest. It should prove as absorbing as politics so called and platform oratory, and certainly more important and useful.

Poona, 13 November 1945.

¹ Not printed. See *CWMG*, Vol. 13, pp. 146-66.



65. Provincial Congress Committee to Organise Women's Work

Circular letter issued by Sucheta Kripalani, Secretary, Women's Department, AICC, 18 November 1945.

Bombay Chronicle, 19 November 1945.

Allahabad, 18 November. Mrs Suchita Kripalani, Secretary, Women's Department, All India Congress Committee has asked in a circular letter to all Provincial Congress Committee to organise women's work in their respective Provinces without any further delay by appointing Women's Sub-Committees afresh or make necessary changes in the personnel of old committees so as to make them more effective. She has also asked the Provincial Congress Committees to intimate to the Women's Department, AICC, within a month regarding the formation of the new committees with the names of the office-bearers.

After suggesting organisational programme for the Provincial Women's Department, Mrs Kripalani has laid out the following activities to be followed by them:

1. Organise a Provincial Volunteer Corps and where possible District Volunteer Corps. The Bombay PCC Women Volunteer Corps organised by Mrs Sofia Khan may be taken as a model.
2. Help to recruit and mobilize women in all Congress activities as constructive work, work among labour, students, etc.
3. Work in co-operation with Congress Committee to render help to political sufferers, arrange to give education or work to the wives, daughters or other women dependents of Congress men who have (A) lost their lives in the 1942 movement or are (B) undergoing long term imprisonment or (C) so-called absconders.
4. Make women vote-conscious and arrange to get their votes recorded during the forthcoming elections.
5. Should organise study and training classes to increase the ability and efficiency of women workers. Short duration training camps may be held for the purpose.
6. Should collect information regarding the part played by women in the last movement and send full report to the AICC.
7. Should carry on propaganda among the wives and other women dependents of Congress workers in order to induce them to take up such training work as would make them economically self-sufficient so that the problem of the families of political sufferers may not be so acute during and after a movement.
8. Should organise Charka classes and try to give full course training in spinning, carding, etc. to every Congress woman.

This would go a long way to solve the difficulties that have recently arisen regarding the purchase of Khadi, owing to the new yarn currency rule of the All India Spinners' Association.

66. Jinnah Explains Position of Minorities Under Pakistan

Rejoinder to Patel's statement, interview to the Press, 18 November 1945.

GOI, Home Dept, Poll (I), File No. 97/45-Poll (I), NAI.

The Congress at its recent meeting of the AICC in Bombay, through its leading spokesmen, Pandit Jawaharlal Nehru and Mr Vallabhbhai Patel, definitely laid down that it will have no truck with the League. The spokesmen also said that they will not negotiate any settlement with the League, and further made it clear that they were going to crush the League and appeal to the Muslims over the head of the Muslim League and start a Muslim Mass Contact Movement. I was told that the American Press would like to know what our demand was and I gave them a framework of Pakistan. The Hindu Press has now discovered that it is something new, which is untrue. I am astonished that Mr Vallabhbhai Patel, while he says that he is personally not afraid of Pakistan, should say that 'Pakistan of Mr Jinnah's definition could never come into existence'. All that I have said in my interview to the American Press was placed before Mr Gandhi fully.

The argument that is being put forward is, 'how does Jinnah expect the Hindus in the Muslim majority provinces to accept the assurance of the Pakistan Government when he is not prepared to accept a similar assurance of the Central Indian Federation in regard to the Muslims'? It is asked, 'why not apply the Pakistan logic to the whole of India'. Surely, it is quite manifest that the fundamental basis of Pakistan is that we want to rescue the Muslim provinces from the domination of the Hindu Raj established by a unitary or federal Centre. In the Pakistan zones there is a defined territory with an overwhelming majority of Muslims and therefore, we want these zones to be carved out and separated or divided from the rest of India. We are in a position to have our independent sovereign states in these zones. The Hindus and non-Muslims in these zones, as a minority, as I have said before, can only accept safeguards and protections whatever is just. Muslims, in the Hindu majority provinces, will be similarly placed. The fallacy of the argument lies in the assumption that the whole of India belongs to the Hindus. It means that in the Muslim majority provinces the Hindus can force the Muslim majority to submit to a union and to the establishment of a Central federal or unitary government.

Are the Muslim minorities in the Hindu majority provinces entitled to enforce their verdict that there should be no union of any kind, just as the Congress put forward the plea that the Muslim majority provinces should be forced into the Union because of the Hindu minority verdict in these provinces? And it is quite obvious that the Muslim minorities in the Hindu Provinces will be under the double yoke of the Hindu Raj, both in the Hindu majority provinces as well as in the centre under the proposed Central Government.

Is the view or the opinion of the Muslim minority in the Hindu Provinces to prevail? Similarly, is the opinion of Hindu minorities in the Muslim provinces to prevail? In that case, it will be the minority that will be dictating to the majority both in Hindustan and Pakistan which reduces the whole position to an absurdity. As to his other slogans that Hindus and Muslims are brothers and one nation, the less Sardar Patel talks about it the better. It does not come with any grace from his mouth, at any rate, for did not Mr Vallabhbhai Patel perform the opening ceremony of a swimming bath in Bombay meant exclusively for Hindus? Has he forgotten that some young men demonstrated, protesting against his participation in the opening ceremony of the swimming bath which excluded the Muslims from even sharing the sea water. All this shows that the Congress has no desire honestly to come to a settlement with the League.

Mr Vallabhbhai Patel is reported to have said: 'We are prepared to compromise with them, but there is little chance of any compromise with the League so long as the leader of the League does not reform his manners.' This is really an argument that reminds me of Aesop's Fable—The Wolf and the Lamb. Mr Gandhi and I met for three weeks nearly. Other Hindu leaders have met me. And I always welcome them. But if I have refused to be taken in and they have failed, it is not my fault. Mr Gandhi, from the very beginning, made the position difficult by saying that he was meeting me in his individual capacity; and certainly, I have nothing to learn from Sardar Vallabhbhai Patel in the matter of manners and code of courtesy which I have extended to all those who have met me.'

67. Election Manifesto: Unionist Party, Lahore, 27 November 1945

GOI, Home Dept, Poll (I), File No. 97/45-Poll (I), NAI.

Lahore, 27 November. 'The objective of the Party continues to be to build up an even better, more contented and prosperous Punjab,' says an election manifesto issued by the Unionist Party on Tuesday.

The salient features of the programme, creed and the objects of the Party are set out below:

- (i) Provision of equal opportunities and facilities for all, with special solicitude for backward classes and areas.
- (ii) The economic readjustment and planning of the province is the main plank of the Party's programme. In this connection the Party pledges itself to see to agricultural and industrial development; encouragement of cottage industries; raising of income and production per head; relief of indebtedness; removal of unemployment; and equitable adjustment of the reasonable claims of Haves and Have nots, of landlords and tenants, and of employees and labourers.
- (iii) The Party programme assures to each community its religious and cultural integrity as the only firm basis of lasting national unity. Denying the claim of any community to dictate to others, in case of conflicts the Party stands for settling disputes on the principles of toleration, negotiation and justice.
- (iv) The test of the success of any future Government in the Punjab will be its ability to handle post-war problems wisely. The present Unionist Ministry has approved a five-year post-war development programme costing Rs 116 crores, details of which have since been published in the Punjab's Post-war Development Plan.
- (v) The basic tenet of a sound economic policy is to raise the standard of living of the masses by increasing their purchasing power through a well coordinated policy of development of agricultural and industry.

The Unionist Party, therefore apart from their programme of agricultural development, stand for rapid industrialisation and nationalisation of key industries.

Heavy industry and certain utility services may be nationalized but the party will encourage private industrial enterprise to stimulate industrial development and to reward the enterprise of industrialists.

- (vi) Demobilisation of the armed forces is being most carefully planned. An organisation is being set up which will arrange resettlement of all persons released from service in the armed forces. Potential employment demands in the post-war period are being studied.

The creed of the Unionist Party is:

- (i) Attainment of complete independence by all constitutional means at as early as date as practicable.
- (ii) Securing of an honourable status for Indians overseas.
- (iii) Maintenance and the promotion in the province of full provincial autonomy.
- (iv) Acceptance of community of economic interests as the true basis of political parties, irrespective of caste, creed or residence.
- (v) Provision of equal facilities and opportunities for all with special solicitude for backward classes and areas whether rural or urban; and
- (vi) Maintenance of peace and good government and the promotion of interests of the masses.

The objects of the Unionist Party are:

- (i) To develop national self-respect;
- (ii) To insist on reduction of military expenditure without reducing the Indian element in the Army;
- (iii) To secure existing proportion of Punjabis in the Army as a permanent feature;
- (iv) To encourage independence of thought and freedom of speech and to discourage sacrifice of public interests to personal ends;

- (v) To insist on a policy regarding customs and excise duties so as to afford greatest encouragement to agricultural producers and industrialists without injuring interests of consumers;
- (vi) To take up economic reconstruction and reorganization of agricultural and industrial life of the province so as to cope with the problem of employment and to raise the standard of living;
- (vii) To overhaul the educational system in all branches so that the poorest and the most backward are educated by free and compulsory primary education and become useful civilians within the shortest possible time. Also to provide maximum facilities for adult literacy, post-literacy reading and women's education;
- (viii) To stand by all legislation intended for protection of backward classes;
- (ix) To promote industries with special emphasis upon cottage industries in rural areas so as to provide supplementary means of income to rural population;
- (x) To introduce co-operative marketing for agricultural produce and the products of cottage industries and to reform objectionable market usages and practices;
- (xi) To effect rural uplift by infusing the real and enlightened spirit in village communities and making every village a unit of true social and national life;
- (xii) To secure purity of administration and removal of corruption;
- (xiii) To distribute fairly and equitably the burden of taxation;
- (xiv) To eliminate all excess in the cost of administration so as to provide funds for beneficent activities;
- (xv) To ensure religious and cultural integrity of each community as the best basis of lasting national unity, denying the claims of any community to dictate to other communities and in case of conflict settling disputes and differences on the principle of toleration;
- (xiv) Protection of public health and sanitation to be an important item of the budget and to provide free medical aid station in each village and to develop maternity centres within easy access of every village;
- (xvii) To extend, champion and guard civil liberties—liberty of person, of speech, of commerce, of the Press and of association; and
- (xviii) To extend the powers of municipalities and district boards to enable the people to rule themselves to the largest possible extent, and to have non-official chairman.'

68. B.S. Moonje on Patel's Statement Asking Hindu Members to Join Congress and Fight Pakistan, 28 November 1945

B.S. Moonje Papers, File No. 81/1945, NMML.

Revered Pandit Malaviyaji, though in his old age invalidity, having passed over to his 84th year, has issued a public message, if the reports appearing in the public press could be taken to be truly his own, asking the Hindu Mahasabha to throw up the sponge and give up the election contest against the Congress. Similarly Sardar Patel says: 'My view is that all the members of the Hindu Mahasabha should join the Congress.' He invites the Mahasabha leaders to join the Congress, and use their energies in fighting Pakistan, instead of dissipating their energy by fighting the Congress. These are very laudable sentiments, but are they sincere? Is he and his Congress really fighting Pakistan?

But why should the Hindu Mahasabha give up the contest? What claim has Sardar Patel to ask Mahasabha to give up the fight though under certain circumstances the Hindu Mahasabha may

feel inclined to reconsider? If Sardar will introspect, he will feel that the Congress has, in its pro-Moslem defeatism forfeited all claim to be entrusted with the destiny of the country and particularly of the Hindus.

However if revered Malaviyaji has confidence of his influence in the Congress and if Sardar Patel is really not bluffing but is sincere in his desire that the Hindus also like the Muslims should present a combined united front, the very first step, that is necessary to achieve it, is that Sardar Patel should get the Congress Working Committee that is meeting on the 4 December 1945 at Calcutta to adopt resolutions repudiating the announcing uncompromising opposition to:

1. The Communal Award and the system of separate electorates;
2. The idea of division of India into several small and independent sovereign states or kingdoms as required by the Muslim demand of Pakistan or as promulgated in what is known as Cripps proposals;
3. The principle of Self-Determination as proposed to be made applicable to territorial units; and
4. The parity proposals of Lord Wavell, making 30 crores of Hindus equal in value to hardly 7 crores of Muslims in the matter of representation of the Hindus and Muslims in the Central Government; and the insistence on inclusion of 2 more Muslims, the so-called Congress Muslims, in the quota of 5 fixed for the Hindus, thus further reducing the Hindu to 3 only in the Viceroy's Executive Council of 15 members.

Besides it would be really democratic and national if the Congress were to announce its acceptance of the principle of 'one man one vote' and 'no communal discrimination in the administration of the country'.

Mr Jinnah has announced with arrogant emphasis that Islam cannot, will not and shall not live under the democratic majority Rule if it be of the Hindus. It can live under the British or the Russian Rule but it can never live under the Hindu Rule. If that is so, the Hindus are equally determined, whatever the Congress may say or do, that there shall be no other Raj in India except the democratic majority Raj which will certainly be of the Hindus. Then let Islam go wherever it likes. All the four directions are open to them. The Nation and Empire of India shall be Akhand and there will be no other rule but the Hindu Rule of all Hindus who take pride in calling themselves Hindus, no matter what religion they may profess.

If such resolutions are adopted by the Congress in the forthcoming meeting of the Working Committee, there will be a magic change in the general political situation and in the attitude of the Hindu Mahasabha towards the Congress. It will go a great way in bringing about a common united front of the Hindus as Mr Jinnah is trying hard to bring about a united front of the Muslims in India.

Bhagalpore.
28 November 1945

Dr B.S. Moonje



69. British Parliamentary Delegation to Unit India

Statement by Lord Pethick-Lawrence, Secretary of State for India in the House of Lords, 4 December 1945.

GOI, Home Dept, Political Branch File No. 97/45-Poll (I), NAI.

London, 4 December. 'The statement made by the Viceroy after his return to India contemplates steps which His Majesty's Government propose should be taken to promote early realisation of full self-government in India.

The full significance of these proposals does not seem to have been properly appreciated in India.

Since it is the firm conviction of His Majesty's Government that it is by, and in consultation with, directly elected representatives of the Indian people that decisions as to the future governance of British India should be taken, it was a necessary preliminary that elections should be held to the provincial legislatures and the Central Assembly in India.

It was announced that after the elections in India preparatory discussions would be held with the elected representatives of British India and with the Indian States in order to secure the widest measure of agreement as to the method of framing the constitution.'

Unjustified suggestions have gained wide currency in India that these discussions would be a fruitful source of delay. I desire to make it plain that His Majesty's Government regard the setting up of a constitution-making body, by which Indians will decide their own future, and also other proposals embodied in the announcement as a matter of the greatest urgency. This misunderstanding has led His Majesty's Government to consider whether opportunities of personal contact between this country and India which have been greatly interrupted during recent years cannot now be increased.

They regard it as a matter of importance that members of our own Parliament should have an opportunity to meet leading political Indian personalities to learn their own views at first hand.

They would also be able to convey in person the general wish and desire of the people of this country that India should speedily attain her full and rightful position as an independent partner State in the British Commonwealth and the desire of Parliament to do everything within our power to promote speedy attainment of that objective.

His Majesty's Government are, therefore, arranging for a Parliamentary delegation to go to India under the auspices of the Empire Parliamentary Association. The intention is that this party should leave this country as soon as possible. In view of the difficulties of transport, it will be limited in size. The delegation will be selected by the Association in consultation with Parliamentary representatives of the chief political parties in this country.

During the transition towards complete self-government, India will be passing through difficult times. No greater disservice could be done to future Indian Government and to the cause of democracy than to permit the foundations of the state to be weakened and the loyalty of its servants to those who are in authority to be undermined before that new government comes into being.

Therefore, the Government of India cannot divest itself of the responsibility which rests upon it and upon all provincial Governments in preserving law and order and of resisting any attempt to resolve constitutional issues by force.

Realisation of full self-government can only come by orderly and peaceful transfer of control of the machinery of state to purely Indian authority.

His Majesty's Government could not permit any attempt to be made to break down the loyalty of the administrative services or of the Indian armed forces, and they will give full support to the

Government of India in securing that their servants are protected in the performance of their duty and that the future constitution of India shall not be called into being by force or threat of force.

In addition, the great need of India, whatever Governments are in power, is to raise the standard of life, of education and of health of the masses.

Boldly conceived plans to meet this are already in being and His Majesty's Government are giving every encouragement to proceed with them, so that improving social conditions may go forward simultaneously with the institution of self-government.

70. Congress Leaders' Reaction to Announcement of Parliamentary Delegation to India, 5 December 1945

Comments by G.B. Pant, Shankarrao Deo, Gopinath Bardoloi, Asaf Ali and Sarat Bose.

GOI, Home Dept, Poll (I) Branch, File No. 97/45-Poll (I), NAI.

Calcutta, 5 December. Pandit Govind Ballabh Pant, member of the Congress Working Committee, in an interview stated today that the announcement made by Lord Pethick-Lawrence in the House of Lords on India left him cold. 'I have ceased to attach any undue significance to these statements.' He continued. 'We have to work out our salvation ourselves.'

Sardar Vallabhbhai Patel and Pandit Jawaharlal Nehru declined to comment, Mr Shanarrao Deo said: 'My interest is in what happens here in India and not over there. They have said that so far as foreign policy is concerned, they are one. I do not look up to any declaration by Labour.'

Mr Gopinath Bardoloi said: 'There is nothing new in it. A Parliamentary delegation does not satisfy anybody.'

Referring to the 'threat of force' Mr Bardoloi said: 'As far as I know, there is no threat of force from India. But independence we must have at any cost. There can be no question of a threat and it is the British who are talking of force.'

Mr Asaf Ali resented the threats contained in the statement. Minatory statement, he said, whether by a gubernatorial authority in India or by the Secretary of State could only evoke resentment. The tone and temper of the threats contained in the statement were not likely to be very helpful, he added.

'I do not wish to question the good intentions of the British people or even of the British Government, but they have yet to be proved. India has traveled a very long way since the outbreak of the last war, and she is no longer prepared to hear patronizing speeches.'

Mr Sarat Chandra Bose said: 'I do not find anything new in Lord Pethick-Lawrence's statement of British policy on India. It is true that he has not used the hackneyed words "progressive realisation of self-government", but he has used words which mean practically the same thing. What Lord Pethick-Lawrence has stated might have satisfied India before 1927 (the year in which the Congress held its session in Calcutta) but cannot and will not satisfy India today. What British authorities apparently fail to realize is that India is not Canada or Australia. India belongs to the East and the East as a whole wants to be altogether free from Western domination.'



71. Partition Only Solution

Jinnah's comment on the latest announcement in Parliament, 6 December 1945.

Bombay Chronicle, 7 December 1945 and GOI, Home Dept, Political Branch, File No. 97/45-Poll (I), NAI.

I have now considered the statement made by Lord Pethick-Lawrence on India in the House of Lords, as reported in the Press. The only new feature indicated is the British Parliamentary Delegation under the auspices of the Empire Parliamentary Association, which is to be sent to India. It is said that the Delegation will be selected by the Association in consultation with Parliamentary representatives and the Chief political parties in the country. The status and the functions of this delegation are neither defined nor even indicated, and the various questions put in the House of Commons later to Mr Herbert Morrison, the Lord President of the Council, who made an identical statement in the House of Commons, and the answers given on behalf of the Government, show how loosely this idea has been conceived and announced by the Labour Government. Mr Morrison said: 'This is an Empire Parliamentary Association Delegation. Nevertheless, I think it would be in a rather special category. As I conceive it, one of its purpose would be to convey the goodwill of the British Parliament and also to make contacts and get information to assist the situation.' He added, 'I would hope, upon their return, the Speaker might give them an opportunity of conferring with His Majesty's Government in order to express their views and impressions and we might consider what further action should be taken.'

It seems that the Labour Government are still in the dark as to the real crux of India's constitutional problem, and are trying to seek light through this circuitous method. It is difficult to understand this attitude after years of discussion. Finally, under the stress of the various questions put to Mr Morrison on the floor of the House, he concluded by answering: 'If there is a general and wide feeling in the House that they would like the Government to confer, through the usual channels, on the status of the Delegation, I would be willing to receive representations on the point.' So this little mouse, after strenuous labour, produced by the Labour Government remains for the moment in suspense as to its character, status, functions, or even any indication of terms of reference to them and we shall watch further developments and the final result.

I wish His Majesty's Government, who by now ought to be in full possession of the facts regarding the quintessence of the India problem would apply their mind to the real issue. Sir Stafford Cripps made it clear in his statement after the breakdown of the Simla Conference on 15 July 1945, when he said there will be no agreement possible till the Pakistan issue is solved. When His Majesty's Government boldly and frankly come out and expedite a permanent settlement on the basis of Pakistan which is the major issue and the only solution of India's constitutional Problem the deadlock will resolve itself. I therefore earnestly commend to His Majesty's Government to declare their resolute resignation to the establishment of Pakistan in India.

Muslim India will never accept any method of framing the Constitution of India by means of one Constitution making body for all India in which the Mussalmans will be in a hopeless minority and the conclusions are foregone in such an Assembly. Nor will they agree to any United India Constitution, federal or otherwise with one centre in which again, they will be in a hopeless minority and will be at the mercy of the perennial Hindu majority domination.

Further, any attempt to set up a Provisional Government at the Centre, which would in any way prejudice or militate against the Pakistan demand will not be acceptable to us, as the thin end of the wedge as it is sought by Hindu India under the term of the Provisional 'National' Government of India.

If the Labour Government wishes to prove its 'bona fides' to give freedom to the peoples of this sub-continent, they must face realities and facts as they are. First the Hindus and the Mussalmans are two major nations living in this sub-continent and there are Muslim provinces and Hindu provinces, and it is high time that the British Government applied their mind definitely to the division of India and the establishment of Pakistan and Hindustan which means freedom for both whereas an United India means slavery for Mussalmans and complete domination of the imperialistic Caste Hindu Raj throughout this sub-continent and this is what the Hindu Congress seeks to attain by constant threats to all and sundry and this is what we are determined to resist with all that lies in our power.

72. Proceedings and Resolutions by Congress Working Committee 7-11 December 1945

Summary of Proceedings and Resolutions passed at the meeting in Calcutta.

Indian Annual Register, 1945, Vol. II pp. 100-2. Also GOI, Home Dept Poll (I) Branch, File No. 97/45-Poll (I), NAI.

A meeting of the Working Committee was held in Calcutta from 7-11 December 1945. Maulana Abul Kalam Azad presided. The members present were Shris Sarojini Naidu, Jawaharlal Nehru, Vallabhbhai Patel, Pattabhi Sitaramayya, Shankarrao Deo, Govind Ballabh Pant, Prafulla Chandra Ghosh, Khan Abdul Ghaffar Khan, Asaf Ali, Narendra Deo, Harekrishna Mehtab and J.B. Kripalani. Gandhi was present at some afternoon sittings of the committee.

Minutes

The minutes of the last meeting of the Working Committee held at Poona and Bombay were placed before the Committee and confirmed.

The Committee passed the following resolutions:

(1) Election Manifesto

The AICC at its meeting held in Bombay in September last resolved that a manifesto containing the policy and programme of the Congress for the information of the public and the guidance of the Congress candidates in the forthcoming general elections be prepared by the Working Committee and placed before the AICC for consideration and adoption. Further it authorised the Working Committee to issue an earlier manifesto for the Central Assembly elections. Accordingly this latter election manifesto has already been issued to the public. The Working Committee regret that owing to the nearness of the general elections in the provinces it is not feasible now to hold a meeting of the AICC in the near future to consider the fuller manifesto, as contemplated by the AICC. They have, therefore, themselves prepared this manifesto and issue it for the information of the public and the guidance of Congress candidates.

(2) Non-Violence

After the arrest of the principal Congressmen in the August of 1942, the unguided masses took the reins in their own hands and acted almost spontaneously. If many acts of heroism and sacrifice are to their credit there were acts done which could not be included in the non-violence. It is, therefore, necessary for the Working Committee to affirm for the guidance of all concerned that the policy of non-violence adopted in 1920 by the Congress continues unabated and that such non-violence

does not include burning of public property, cutting of telegraph wires, derailing trains and intimidation.

The Working Committee are of opinion that the policy of non-violence as detailed in the Congress resolution of 1920, since expanded and explained from time to time, and action taken in accordance with it has raised India to a height never attained before.

The Working Committee are further of opinion that the constructive activities of the Congress, beginning with the spinning wheel and Khadi at the centre, are emblematic of the policy of non-violence, and that every other Congress activity, including what is known as the Parliamentary programme, are subservient to and designed to promote the constructive activities as explained by Gandhiji.

The Working Committee are of opinion that civil disobedience, mass or any other, meant for the attainment of freedom is inconceivable without the adoption of the constructive programme on the widest scale possible by the masses of India.

(3) INA Inquiry and Relief Committee

In view of the many problems, other than those of legal defence, arising in connection with the personnel of the Azad Hind Fauj, it is resolved to form a committee, separate from the INA. Defence Committee which has already been constituted, in order to gather information and give relief where needed to these personnel. The Committee will be called the INA. Inquiry and Relief Committee and will consist of the undermentioned persons. The Committee will also arrange to gather full information about the dependents of those who died in the service of the INA. The method of organising relief should be except for urgent and immediate purposes, to provide productive work.

The following shall be the members of the INA Inquiry and Relief Committee.

- 1 Sardar Vallabhbhai Patel (Chairman)
- 2 Jawaharlal Nehru
- 3 J.B. Kripalani
- 4 Sarat Chandra Bose
- 5 Rafi Ahmad Kidwai
- 6 M. Daud Ghaznavi
- 7 Sri Prakasa (Secretary)
- 8 Raghunandan Saran
- 9 Khurshed Naoroji
- 10 Rao Saheb Patwardhan
- 11 Sardar Pratap Singh
- 12 A representative of the Bombay INA Committee with power to add three numbers.

The Treasurer of the All-India Congress Committee shall be in charge of the funds collected for INA Defence and Inquiry and Relief Work.

(4) Indonesia and Indo-China

The Working Committee have watched with admiration and sympathy the valiant struggle in defence of their newly won republic and independence which the people of Indonesia have been carrying on with steadfast courage and determination against British and Dutch forces. This Committee emphatically condemn the wanton invasion of Java and other parts of Indonesia in order to impose Dutch imperialist domination on their inhabitants against their unanimous demand for a free State. Any support from any quarter to imperialist designs in Indonesia, Indo-China and

elsewhere is resulted throughout Asia as culpable violation of the professed aims of the United Nations and the undeniable right of Asian nationals. This will destroy the chance of international understanding and the very basis of any future world organisation. The Committee regret that the United States of America have by their passive attitude encouraged these imperialist aggressions. While expressing their heartfelt sympathy with the Indonesia and Indo-Chinese nationalists for the enormous loss and suffering inflicted upon them by the imperialist powers, this Committee are particularly distressed to find the units of the Indian army arrayed against the Indonesians and Indo-Chinese and view with deep indignation this mischievous misuse of the Indian forces by the British Government. This Committee note with resentment that the Government of India has not granted necessary facilities to enable Jawaharlal Nehru to proceed to Java in response to Dr Sukarno's invitation and reaffirms their determination to put an end to India's political subjection to which the present intolerable state of humiliating helplessness is due.

(5) Burma and Malaya

The Working Committee have noted with grave disquiet the reports of the treatment of Indians by the authorities in Burma and Malaya. Many have been arrested and interned or put in prison and no proper opportunities for defence have been given. Even information about them is lacking and this absence of news is causing anxiety to their friends and relations in India. Owing to the deterioration in the economic conditions of these countries and the scarcity of food and the invalidation of the currency the civil population is suffering from want and distress. The considerable Indian population there suffers even more than others, for they receive no help or protection from the Government of India, and are almost in the position of being stateless individuals and groups, for whom no one assumes responsibility. While the Government of India is taking no adequate step to help these Indians abroad, it is giving no facilities to representatives of defence and relief committees and public men to visit Burma and Malaya to give the help that their countrymen so urgently need. The Working Committee appoint Jawaharlal Nehru to proceed to Burma and Malaya on their behalf, to enquire into the condition of Indians there and to arrange for their defence and other help.

The Working Committee also call upon Indians in Burma and Malaya to organise defence and relief committees in both countries in order to help themselves and all their countrymen in the hour of their distress. These committees should contact with the central defence and relief committees in India and work in co-operation with them.

(6) Continued Congress Commitment to Peaceful Means

Whilst the Congress must feel proud of the sacrifice, discipline, patriotism, bravery and the spirit of unity displayed by the Azad Hind Fauj, organised as an independent force in foreign countries under unprecedented conditions by Shri Subhas Chandra Bose and whilst it is right and proper for the Congress to defend the members of that body now undergoing trial and to aid its sufferers, Congressmen must not forget that this support and sympathy do not mean that the Congress has in any way diverted from its policy of attaining Swaraj by peaceful and legitimate means.

(7) Communist Party

The report of the Sub-committee appointed to consider the charges brought against the Communist members of the AICC was considered and their recommendations were approved. Resolved that disciplinary action be taken against Shris S.G. Sardesai, V.G. Bhagvat, V.D. Chitale, K.M. Ashraf, S. Sajjad Zaheer, Sohan Singh Josh, Karyanand Sharma and R.D. Bharadwaj and their names be removed from membership of the AICC and from all other elective Congress Committee of

which they may be members. Further that Provincial Congress Committees should be directed to take similar action for the removal from all Congress elective offices of members of the Communist Party of India.

(8) Medical Mission to Burma and Malaya

In view of the serious and widespread distress prevailing among Indians in Burma and Malaya for want of food and medical attention and cloth scarcity, the Working Committee resolve that a medical mission be sent on behalf of the Congress to Burma and Malaya in order to give medical and other needed relief, more especially to INA and Indian Independence League personnel there. The Committee authorizes Dr B.C. Roy to organise such a mission in consultation with Sardar Vallabhbhai Patel, the Chairman of INA. Inquiry and Relief Committee, and to arrange for its dispatch at an early date.

(9) Calcutta Demonstrations

The working Committee are of opinion that the demonstration by the students of Calcutta on 21st November, resulting in the loss of precious student life and many injured from bullet wounds, and the events thereafter demand an open and impartial judicial inquiry by the Government of Bengal. Meanwhile, the Committee record their opinion that the students of Calcutta showed the utmost bravery of the non-violent type by remaining unmoved—under a shower of bullets.

(10) Anjuman-E-Watan

With reference to the affiliation of Anjuman-e-Watan of Baluchistan by the AICC the Working Committee resolves that the following representation be granted to it.

- 1 Members of the AICC.
- 2 Delegates for the annual session of the Congress.

The Committee gave their decision on the following matters:

(1) Boundary Disputes

Boundary disputes with regard to Ganjam and Koraput in Orissa and Chakradharpur in Singhbhum (Bihar) and the connected correspondence were considered by the Working Committee. It was decided that disputes be referred to Shri Shankarrao Deo for investigation and decision.

(2) Karnatak Provincial Headquarters

The Committee considered the representation of the Karnatak Provincial Congress Committee that the Provincial Headquarters be transferred from Dharwar to Hubli being the biggest industrial town in the province and also more centrally situated. The Working Committee sanctioned the transfer.

(3) Demobilisation

The Working Committee considered the communications received in the AICC office asking whether Congressmen could serve on Advisory Committees set up by the Government under their scheme for the re-settlement of the recently demobilized soldiers and labourers thrown out of employment consequent upon the cessation of hostilities. The Committee decided that it was not advisable for Congressmen to serve on such committees. The Committee could advise Congressmen to participate in such committees only if the principles and the plane of the resettlement schemes as conceived by the Government were such as would be satisfactory from

the national view point. As the schemes were conceived, the Committee were of opinion that no useful service could be reoffered to the individuals concerned and the nation by Congressmen serving on these committees.

(4) Mr Asaf Ali's Visit to Tamil Nadu

The Working Committee heard the deputation of some Congressmen from Tamil Nadu on the existing divisions among Congressmen in Tamil Nadu. The Committee decided to depute Mr Asaf Ali to proceed to Madras and try to amicably settle the disputes that had arisen among the Congressmen there with the goodwill of the parties concerned.

(5) Political Sufferers

The question of rendering relief to political sufferers was considered. It was decided that the Work of organizing relief for political sufferers should be left to the Provincial Congress Committees.

(6) Plenary Session of the Congress

The question of holding the annual session of the Congress was considered in the light of the representations in this behalf from the PCCs. It was decided that in spite of unavoidable inconvenience to some provinces on account of the election work the next annual session of the Congress be held as early as possible. As it was difficult to make suitable arrangements for holding the session in some rural areas as has become customary in the last few years, it was decided to hold the forthcoming session at Delhi in the first week of April. It was left to the AICC office to issue the time-table for the election of delegates and the president.

(7) AICC Office

The Committee considered the question of raising necessary funds for the AICC Office. It was decided that the President should issue an appeal for funds on behalf of the Working Committee.

(8) Non-official Resolutions

The Committee considered the non-official resolutions which were to be moved at the last meeting of the AICC but could not be moved on account of the shortness of time and pressure of official business. It was found that most of the non-official resolutions were covered by the resolutions passed by the Working Committee at its Bombay and Calcutta sessions. Two resolutions, one relating to the memorial for martyrs and the other relating to volunteers corps, which were not covered, were reserved for consideration by Working Committee at its next meeting.

73. Azad Explains the Resolutions Adopted by Congress Working Committee, 11 December 1945

Hindustan Times, 12 December 1945.

Calcutta, 11 December. Immediately after the conclusion of the session of the Congress Working Committee, the Congress President, Maulana Abul Kalam Azad, explained at a Press conference the various resolutions passed by the Working Committee during the session.

The Congress President said that the resolution of non-violence was the most important. 'I emphasize the resolution is the most important, because ever since the August 1942 struggle, people have begun to believe that the Congress creed of non-violence no longer binds the country in general and Congressmen in particular. There has been a growing feeling among people that it

is not necessary to adhere strictly to the principle of non-violence in our struggle for political freedom. This is absolutely wrong. It is for the purpose of removing this confusion and misconception in public mind that the Working Committee has thought it necessary to re-affirm the Congress creed of non-violence as the only means to achieve our political objective with all the strength it possesses.

The resolution on the INA is a natural corollary to or reaffirmation of non-violence. Our support and sympathy to the members of the INA is not to be construed to mean that the Congress has in any way deviated from its policy of attaining Purna Swaraj by all peaceful legitimate and non-violent means.'

Calcutta Firing Condemned

Explaining the resolution on the Calcutta firing, the Congress president said that while he was at Vindhyanchal he believed from Press reports, that the student demonstrators had disobeyed their leaders' request to disperse and, therefore, he thought they were wrong in doing so. On his return to Calcutta, however, he made detailed inquiries about the happenings and he was convinced that the attitude of the students on the first day of the trouble was quite reasonable and not condemnable. If the students had been properly tackled by responsible leaders on the spot in time, all evidence went to show they would have obeyed them but it appeared that the leaders did not reach the spot in time.

'I have no doubt the attitude of the students was quite correct and they would have listened to the advice of their leaders. The action of the police cannot be justified in any circumstances.

'As to mob violence, I must say it was the result of the excitement caused by the first day's firing. Mob-violence has to be condemned, but it could have been avoided if the police had behaved differently. As I said it was the aftermath of the excitement caused by the firing on the first day. Burning of military lorries and stoning of police are condemnable, but all these would have been avoided if the police had acted with greater wisdom and tolerance.'

Madras Congress Affairs

Answering a question, Maulana Abul Kalam Azad said that Mr Asaf Ali had been deputed by the Working Committee with full powers to go to Madras to look into the representation made by some Congressmen from Tamil Nadu. Mr Asaf Ali would try to see that a Madras Provincial Congress Parliamentary Board was formed to represent various shades of opinion within the Congress in South India and thus avoid a split. 'The dispute in Madras is among other things concerning the Provincial Assembly elections and the question as to whether Mr Rajagopalachari should be included or not in the Provincial Parliamentary Board.'

The Congress President officially announced that the next plenary session of the Indian National Congress would be held at Delhi in the first week of April. He said that detailed announcement about the programme for enrolment of primary Congress members, elections to district and provincial Congress committees, nomination of new president of the Congress, election of the President and the dates for the meeting of the Working Committee, the All-India Congress Committee and the plenary session, would be made by the General Secretary from Allahabad.

Maulana Azad further explained that normally it was the Punjab's right to have the Congress session but owing to abnormal conditions and because of certain practical difficulties, the Working Committee had decided on Delhi.

Asked if the Congress session at Delhi would be on the usual spectacular scale or be a purely business like deliberative body disposing of important business, he said that he and some members of the Working Committee had pleaded for a business-like session, dropping all demonstrative

aspects attached to the usual Congress session, but the majority of members felt that it would not be right to do so.

Maulana Abul Kalam wished to explain to Provincial Congress Committees which had made representations to him and the Working Committee for the postponement of the plenary session till after the provincial elections, that it was not feasible, and therefore, though the time before them was limited for enrolment of members, the last date being 15 December, for conducting elections to the district and provincial Congress Committee and conducting the election of the President, they should manage to adjust things in such a manner as not to delay things. He, therefore, appealed to all concerned to go ahead with the plans for holding the plenary session and assist him and the Working Committee to get through the time-table of the annual session.

74. Congress Election Manifesto for Provincial Assembly Elections, Issued by the Congress Working Committee on 11 December 1945

Hindustan Times, 12 December 1945, *Indian Annual Register*, 1945, Vol. II, pp. 110–12.

The AICC at its meeting held in Bombay in September last resolved that a manifesto containing the policy and programme of the Congress for the information of the public and the guidance of the Congress candidates in the forthcoming general elections be prepared by the Working Committee and placed before the AICC for consideration and adoption. It authorized the Working Committee to issue an earlier manifesto for the Central Assembly elections. Accordingly this latter election manifesto has already been issued to the public. The Working Committee regret that owing to the nearness of the general elections in the provinces it is not feasible now to hold a meeting of the AICC. They have, therefore, themselves prepared this manifesto and issued it for the information of the public guidance of Congress candidates.

For 60 years the National Congress has laboured for the freedom of India. During this long span of years its history has been the history of the Indian people, straining at the leash that has held them in bondage, ever trying to loosen themselves from it. From small beginnings it has progressively grown and spread in this vast country, carrying the message of freedom to the masses of our people in the towns as well as the remotest villages. From these masses it has gained power and strength and developed into a mighty organisation, the living and vibrant symbol of India's will to freedom and independence.

From generation to generation it had dedicated itself to this sacred cause, and in its name and under its banner innumerable countrymen and countrywomen of ours have laid down their lives and undergone suffering in order to redeem the pledge they had taken. By service and sacrifice it has enshrined itself in the hearts of our people; by its refusal to submit to any dishonour to our nation it has built up a powerful movement of resistance to foreign rule.

The career of the Congress has been one of both constructive effort for the good of the people and of unceasing struggle to gain freedom. In this struggle it has faced numerous crises and come repeatedly into direct conflict with the armed might of a great empire. Following peaceful methods, it has not only survived these conflicts but has gained new strength from them. After the recent three years of an unprecedented mass upheaval and its cruel and ruthless suppression, the Congress has risen stronger than ever and become more loved by the people by whom it has stood through storm and stress.

The Congress has stood for equal rights and opportunities for every citizen of India, man or woman. It has stood for the unity of all communities and religious groups and for tolerance and goodwill between them. It has stood for full opportunities for the people as a whole to grow and

develop according to their own wishes and genius; it has also stood for the freedom of each group and territorial area within the nation to develop its own life and culture within the larger framework, and it has stated that for this purpose such territorial areas or provinces should be constituted, as far as possible, on a linguistic and cultural basis. It has stood for the rights of all those who suffer from social tyranny and injustice and for the removal from them of all barriers to equality.

The Congress has envisaged a free, democratic State with the fundamental rights and liberties of all its citizens guaranteed in the constitution. This constitution, in its view, should be a federal one with autonomy for its constituent units, and its legislative organs elected under universal adult franchise.

The federation of India must be a willing union of its various parts. In order to give the maximum of freedom to the constituent units there may be a minimum list of common and essential federal subjects which will apply to all units, and a further optional list of common subjects which may be accepted by such units as desire to do so.

The constitution shall provide for fundamental rights, among them the following:

- (1) Every citizen of India has the right of free expression of opinion, the right of free association and combination, and the right to assemble peacefully and without arms for a purpose not opposed to law or morality.
- (2) Every citizen shall enjoy freedom of conscience and the right freely to profess and practice his religion, subject to public order and morality.
- (3) The culture, language and script of the minorities and of the different linguistic areas shall be protected.
- (4) All citizens are equal before the law, irrespective of religion, caste, creed or sex.
- (5) No disability attaches to any citizen by reason of his or her religion, caste, creed or sex, in regard to public employment, office of power or honour, and in the exercise of any trade or calling.
- (6) All citizens have equal rights in regard to wells, tanks, roads, schools and places of public resort, maintained out of State or local funds, or dedicated by private persons for the use of general public.
- (7) Every citizen has the right to keep and bear arms in accordance with regulations and reservations made in that behalf.
- (8) No person shall be deprived of his liberty, nor shall his dwelling or property be entered, sequestered, or confiscated, save in accordance with law.
- (9) The State shall observe neutrality in regard to all religions.
- (10) The franchise shall be on the basis of universal adult suffrage.
- (11) The State shall provide for free and compulsory basic education.
- (12) Every citizen is free to move throughout India and to follow any trade or calling, and to be treated equally with regard to legal prosecution or protection in all parts of India.

The State shall further provide all necessary safeguards for the protection and development of the backward or suppressed elements in the population, so that they might make rapid progress and take a full and equal part in national life. In particular, the State will help in the development of the people of the tribal areas in a manner most suited to their genius, and in the education and social and economic progress of the Scheduled Classes.

A hundred and fifty years and more of foreign rule have arrested the growth of the country and produced numerous vital problems and that demand immediate solution. Intensive exploitation of the country and the people during this period has reduced the masses to the depths of misery

and starvation. The country has not only been politically kept under subjection and humiliated but has also suffered economic, social, cultural and spiritual degradation.

During the years of war this process of exploitation by irresponsible authority in utter disregard of Indian interests and views, and an incompetence in administration reached a new height leading to terrible famine and widespread misery. There is no way to solving any of these urgent problems except through freedom and independence. The content of political freedom must be both economic and social.

The most vital and urgent of India's problems is how to remove the curse of poverty and raise the standard of the masses. It is to the well being of these masses that the Congress had directed its special attention and its constructive activities. It is by their well-being and advancement that it has judged every proposal and every change, and it has declared that anything that comes in the way of the good of the masses of our country must be removed.

Industry and agriculture, social services and public utilities must be encouraged, modernized and rapidly extended in order to add to the wealth of the country and give it the capacity for self-growth, without dependence on others. But all this must be done with the primary object of benefiting the masses of our people and raising their economic, cultural and spiritual level, removing unemployment and adding to the dignity of the individual.

For this purpose it will be necessary to plan and co-ordinate social advance in all its many fields, to prevent the concentration of wealth and power in the hands of individuals and groups, to prevent vested interests inimical to society from growing and to have social control of the mineral resources, means of transport and the principal methods of production and distribution in land, industry and in other departments of national activity, so that free India may develop into a co-operative commonwealth.

The state must, therefore, own or control key and basic industries and services, mineral resources, railways, waterways, shipping and other means of public transport. Currency and exchange, banking and insurance must be regulated in the national interest.

Though poverty is widespread in India, it is essentially a rural problem, caused chiefly by over-pressure on land and lack of other wealth-producing occupations. India, under British rule, has been progressively ruralized, many of her avenues of work and employment closed, and a vast mass of the population thrown on the land, which has undergone continuous fragmentation, till a very large number of holdings have become uneconomic.

It is essential, therefore, that the problem of the land should be dealt with in all its aspects. Agriculture has to be improved on scientific lines and industry has to be developed rapidly in its various forms—large scale, medium and small—so as not only to produce wealth but also to absorb people from the land. In particular, cottage industries have to be encouraged, both as whole-time and part-time occupations. It is essential that in planning and the development of industry, while maximum wealth production for the community should be aimed at, it should be borne in mind that this not done at the cost of creating fresh unemployment. Planning must lead to maximum employment, indeed to the employment of every able-bodied person, landless labourers should have opportunities of work offered to them and be absorbed in agriculture or industry.

The reform of the land system, which is so urgently needed in India, involves the removal of intermediaries between the peasant and the state. The rights of such intermediaries should, therefore, be acquired on payment of equitable compensation.

While individualist farming or peasant proprietorship should continue, progressive agriculture as well as the creation of new social values and incentives requires some system of co-operative farming suited to Indian conditions. Any such change can, however, be made only with the goodwill and agreement of the peasantry concerned.

It is desirable, therefore, that experimental co-operative farms should be organised with State help in various parts of India. There should also be large State farms for demonstrative and experimental purposes.

In the development of land and industry there has to be a proper integration and balance between rural and urban economy. In the past, rural economy has suffered, and the town and city have prospered at the cost of village. This has to be righted and an attempt made to equalize, so far as possible, the standards of life of town-dwellers and villagers. Industry should not be concentrated in particular provinces so as to give a balanced economy to each province, and it should be decentralised, as far as this is possible without sacrifice of efficiency.

Both the development of land and of industry, as well as the health and well-being of the people, require the harnessing and proper utilization of the vast energy that is represented by the great rivers of India which is not only largely running to waste but is often the cause of great injury to the land and the people who live on it. River commissions should be constituted to undertake this task in order to promote irrigation and ensure an even and continuous supply of water, to prevent disastrous floods and soil erosion, to eradicate malaria, to develop hydro-electric power, and in other ways, to help in raising the general standard of life, especially in the rural areas. The power resources of the country have to be developed rapidly in this and other ways in order to provide the necessary foundation for the growth of industry and agriculture.

Adequate arrangement should be made for the education of the masses with a view to raising them intellectually, economically, culturally and morally, and to fit them for the new forms of work and services which will open out before them. Public health services which are essential for the growth of the nation should be provided for on the widest scale and in this, as in other matters, the needs of the rural areas should receive special attention. These should include special provisions for maternity and child welfare.

Conditions should thus be created in which every individual has an equal opportunity for advance in every field of national activity and there is social security for all.

Science in its innumerable fields of activity has played an ever-increasing part in influencing and molding human life and will do so in even greater measure in the future. Industrial, agricultural and cultural advance, as well as national defence, depend upon it. Scientific research is, therefore, a basic and essential activity of the State and should be organised and encouraged on the widest scale.

In regard to labour the State shall safeguard the interest of industrial workers and shall secure for them a minimum wage and a decent standard of living, proper housing, hours of work and conditions of labour in conformity, as far as economic conditions in the country permit, with international standards, suitable machinery for the settlement of disputes between employers and workmen, and protection against the economic consequences of old age, sickness and unemployment. Workers shall have the right to form unions to protect their interests.

Rural indebtedness has in the past crushed the agricultural population, and though owing to various causes in recent years this has grown less the burden still continues and must be removed, cheap credit must be made available through co-operatives.

Co-operatives should also be organised for other purposes both in rural and urban areas. In particular, industrial co-operatives should be encouraged as being especially suited for the development of small-scale industry on a democratic basis.

While the immediate the urgent problem of India can only be effectively tackled by a joint and planned attack on all fronts—political, economic, agricultural, industrial and social—certain needs are of paramount importance today. Owing to the gross incompetence and mismanagement of the Government an incredible amount of suffering has been caused to the people of India.

Millions have died of starvation, and scarcity of food and clothing is still widespread. Corruption in the services and in all matters pertaining to the supply and control of the vital necessities of life is rampant and has become intolerable. These urgent problems require immediate attention.

In international affairs the Congress stands for the establishment of a world federation of free nations. Till such time as such deliberation takes shape, India must develop friendly relations with all nations and particularly with her neighbours. In the Far East, in South-East Asia and in Western Asia, India has had trade and cultural relations for thousands of years and it is inevitable that with freedom she should renew and develop these relations. Reasons of security and future trends of trade also demand closer contacts with these regions.

India, which has conducted her own struggle for freedom on a non-violent basis, will always throw her weight on the side of world peace and co-operation. She will also champion the freedom of all other subject nations and peoples for only on the basis of this freedom and the elimination of imperialism everywhere can world peace be established.

On the 8 August, 1942, the AICC passed a resolution, since then famous in India's history and by its demands and challenges the Congress stands today. It is on the basis of this resolution and with its battle-cry that the Congress faces the elections.

The Congress, therefore, appeal to the voters all over the country to support Congress candidates in every way at the forthcoming elections, and to stand by the Congress at this critical juncture, which is pregnant with future possibilities.

In these elections, petty issues do not count, nor do individuals, nor sectarian cries—only one thing counts: the freedom and independence of our motherland, from which all other freedoms will flow to our people. Many a time the people of India have taken the pledge of Independence; that pledge has yet to be redeemed, and the well-beloved cause for which it stands and which has summoned us so often, still beckons to us. The time is coming when we shall redeem it in full. This election is a small test for us, a preparation for the greater things to come. Let all those who care and long for freedom and the Independence of India meet this test with strength and confidence and march together to the free India of our dream.—API.

75. AICC Circular on CWC Resolutions, 19 December 1945

AICC Papers, File No. PD 3/1945, NMML.

To

All Provincial Congress Committees

Dear Friend,

The office has already sent you copy of the election manifesto prepared and issued by the Working Committee at its recent session. I am sending you herewith copies of some of the resolutions passed by the last meeting of the Working Committee.

The resolution about the Communist Party requires you to take necessary steps for the removal of members of the Communist Party of India from all Congress Elective offices in your province. If your office has received any intimation of members of the Communist Party having already resigned from elective offices in the province or primary membership of the Congress you will please let us know the number of such resignations in your province.

* * *

The Resolution on Non-violence is a reiteration in clear and unambiguous terms of our basic policy. It is designed to clear doubts and misunderstandings arising out of the struggle of 1942. Congress men need no assurance that this resolution and that on the INA have nothing to do with

the talks that some of our leaders were invited to have with high government officials at Calcutta. These talks on the admission of Delhi itself had no political significance whatsoever. They have, as is plain from the Viceroy's speech at the Associated Chambers of Commerce, made no difference whatsoever in the existing relations between India and England. If we ask our people assiduously to cultivate non-violence, observe restraint and conserve good national energy, it is not to please the government which believes in violence through and through and practices it in India on every conceivable occasion but because we consider these virtues good in themselves. We also believe that these virtues are useful for the achievement of the Swaraj of our conception. We further believe that the international peace can come only that way and not through the manufacture or use, however monopolistic, of the atom bomb by a few powerful nations however good their intention may be.

* * *

The Constitution Committee of the AICC met at Calcutta. It held one sitting during which it listened to Gandhiji's exposition of the views he had embodied in a note for the consideration of the Committee. It was not possible for the committee to hold detailed consultations as there were no reports before it from PCCs. Now that the plenary session of the Congress is due to be held in April next I would urge you to expedite the preparation of a memorandum containing the considered views of your committee or any sub-committee appointed by it on constitutional reorganization of the Congress. This memorandum should reach us by 15 January so as to enable me to call a meeting of a Constitution Committee sometime in February next.

* * *

The reports asked for in our previous circulars have not reached us yet. We find that provincial and sub-ordinate committees are not functioning satisfactorily. Our pre-occupation with Assembly elections should not prevent us from attending to urgent organisational work. It is time we recognized this fact and organised our various offices and made them efficient instruments for all Congress work.

Yours sincerely,
J.B. Kripalani
General Secretary

76. Forward Bloc Members Should Function as Congressmen

H.V. Kamath's statement on the decisions reached by the Forward Bloc leaders, 21 December 1945

Hindustan Times, 22 December 1945.

Calcutta, 21 December. Mr H. Kamath, former Secretary of the All-India Forward Bloc, in a statement says that he and his colleagues have reached certain conclusions during the last few days in the course of discussions held in Calcutta. They endorse the decision recently taken at Bombay that they should function as Congressmen, and in that capacity support the Congress in the ensuing elections and all its other activities. With that view all comrades throughout the country have enrolled themselves as members of the Congress.

They also affirm that the 'Quit India' stand taken by the AICC in August 1942 should remain their Pole Star, and that all activities should be directed towards the speedy achievement of the goal envisaged in that resolution.

Mr Kamath says: 'We deem it our sacred task to strengthen the fighting forces within the Congress to prepare the Congress and the nation for a final onslaught on British imperialism, to strive for the speedy implementation of the "Quit India" resolution and to prevent any compromise with the British Government except on the basis of complete independence.'

'We are convinced that the lead given by Netaji Subhas Chandra Bose to the Congress and the nation in 1939-40 was the correct lead. We followed the lead when he was with us.

The historically unique line he subsequently adopted in fighting for the liberation of India won our unstinted admiration and we have no hesitation in supporting the course of action which Netaji followed, bearing in mind all the circumstances in which we, as a slave nation, were placed at that time.'

Mr Kamath continues that the workers and peasants of India have to be organised in their independent class organisations and all their forces have to be mobilised in the total struggle for India's liberation. The Congress and the country should immediately bend their energies towards the release of all political prisoners as well as of the entire personnel of the Azad Hind Fauj 'which, it has now been shown beyond doubt, was an independent army of a free State. The members of the INA must, therefore, be treated only as prisoners of war and released without delay'.

Mr Kamath adds that three months ago in Bombay it was expected that the ban on the Forward Bloc and its branches throughout the country would soon be lifted, but though the elections have been ordered and the campaign is in full swing, the Forward Bloc continues to be an unlawful organisation 'and hundreds of our comrades, including Sardar Sardul Singh Caveeshiar, Mr Satya Ranjan Bakshi, Mrs Lila Roy, Senapati Bapat and others, are still behind prison bars.'—API.

77. Muslim League—a Creation of British Imperialists

Press interview by Khan Abdul Gaffar Khan, Peshawar, 21 December 1945.

Leader, 22 December 1945.

Peshawar, 21 December. 'It is my well considered opinion without any prejudice that the Muslim League is the creation of the British Imperialists to foil the efforts of the Indian National Congress and its allied institutions to free India,' declared Khan Abdul Gaffar Khan, in an interview to the United Press representative regarding the advisability of the Nationalist Muslims joining the League.

Continuing he said, 'Certain League leaders appeal to me to join the League and serve the interests of Islam. Do they want me to play the second fiddle to British overlords? Should I divide India to the betterment and wishes of the Britishers and raise the bogus cry of "Islam in danger"? Is it dignified for me to demand the fulfillment of certain conditions prior to the country's freedom and finally like them should I also continue to raise demonstrative slogans and do nothing positively constructive for the welfare of my Indian brothers? No, a thousand times no. I would rather die than compromise myself to such a humiliating position. I am a man of service. Inaction means death to me. I have no ambition to become Quaide-i-Azam through a wrong cause and policy. I am wedded to the noble cause of India's independence and I will stick to it till the last breath of my life.'

With a heavy heart Abdul Ghaffar Khan concluded: 'I feel for the lot of the poor, dumb and illiterate Muslim masses, who are swayed by their self-interested leaders to utter economic, social and political oblivion. I warn my fellow brethren of the impending terrible repercussions which they will have to bear in consequence of their following the suicidal policy of the Muslim League.

'It is a matter of sheer ill-luck that fraud is being perpetuated on the innocent Muslims with the aid of British money and propaganda. Nevertheless, this is a temporary phase. An organisation,

like the Muslim League, which is based on reactionary mentality, whose one weapon is propaganda, which is surcharged with bigoted hatred towards the Hindu community and which has no constructive programme worth the name, is certainly going to meet its doomsday sooner than is expected.'—UPI.

78. No Begging for the Release of Jayaprakash Narayan

Nehru's Speech at Release Jayaprakash Rally, Patna, 24 December 1945.

Selected Works of Jawaharlal Nehru, Vol. 14, pp. 278–81.

India will continue to be in prison so long as a single patriot remains engaged in a British prison. Those who still remain behind the bars also continue to serve the country through their speechless messages which are sure to resound through every nook and corner of India. They reinvigorate the people for the still greater fight ahead.

The justification brought forward by a section of the people for the release of Jayaprakash and other leaders is that the war is over and that peace and amity have returned.¹ I express my strong disagreement with this justification as this amounts to begging the authorities for the release. The war might have ended, but our struggle against the British Government will not be over until we win full freedom. Then only we can be sure that valiant fighters who are in jails will not be clapped back into them again. It looks incongruous that on one side we are begging for the release of Jayaprakash and on the other we claim that we are fighting for freedom.

We want Jayaprakash amidst us but with full honour and dignity. The idea of getting his release by begging, neither I nor Jayaprakash, will like. His release depends entirely on you. If the British show reluctance then we shall take the initiative and courage in both hands and see that Jayaprakash and others are in our midst. The situation as it is today, clearly indicates that the release of our patriots is India's concern alone and not of the British. The time is ripe now to create such conditions as to force British hands to open the Indian Bastilles. To achieve this end, it is not only desirable but proper that we have mass power and strength in our rank and file. This will expose the British greed and lust to continue the machine of repression and exploitation of India.

We have every right to demand the release of Jayaprakash and others but it does not fit in with our dignity to say that as peace has been restored, they should be released. We must continue our battle for freedom, and must not cry halt till it is brought home to the British Government in India that it is risky and hazardous to keep Jayaprakash any longer in prison.

Our struggle goes on unabated until our victory is achieved. The release of patriots alone will not give us rest, as India's battle knows no truce. The release is only a healing of one of our national injuries. Our miseries and sorrows will vanish only with the dawn of freedom.

The British have brought three men in open court-martial and the facts about those who have already been court-martialled and hanged are still a hidden story to us. The INA trial has created a mass upheaval. Wherever I went, even in the remotest villages, there have been anxious enquiries about the INA men. There are profuse sympathies for these brave men and all, irrespective of caste, colour and creed, have liberally contributed to their defence.

The Supreme Court for the trial should not be the Privy Council. The deeds of the INA patriots should have been tried and judged at the bar of public opinion. The verdict will be overwhelmingly in favour of the INA men. The continuance of the trial is sheer madness undermining the position of the British in the country. The trial has taken us many steps forward on our path to freedom. Never before in Indian history had such unified sentiments and feelings been manifested by various divergent sections of the Indian population as it has been done with regard to the question of the Azad Hind Fauj.

This is not the only solitary contribution of the INA trial, but there is also another formidable one and it is that it has broken the impenetrable barriers that separated earlier the Government controlled Indian Army and public opinion. Before the INA question came, the Indian people and the Government army lived in watertight compartments. The trial has brought the two closer. It is transparently clear that the Government army also shares the feelings and aspirations of the country. There is not a single soldier in it who does not want the complete severance of British connections and their immediate exit from this country.

Even the prosecuting counsel of the Indian Government has admitted before the Court Martial that these INA men were actuated by the best motives of patriotism, and were not prompted by any base design.² Therefore, he mentioned with all force that they merited less punishment and urged the Court Martial to add a rider to this effect in its judgment.

This is not the main question at issue. The real issue is that the proper court should have been the public opinion, and not the Court Martial or the Privy Council. That the trial however is being continued, despite public agitation, indicates that the masses have not yet gathered as much strength as is required to bring down on its knees the mighty force of imperialism.

I draw your attention to the reprehensible conduct of the Bihar Governor during his recent visit to the Bhagalpur Jail. From the Governor's attitude it is clear that imperialism still reigns in its full fury. I deprecate the action of the Governor in meting out humiliating treatment to political prisoners while he had been there to review their cases.

It is obvious that British rulers are at war with their Indian subjects though the World War has ended. There are two warring camps in India now. One of them is the British and the other is those fighting for freedom. Our relation therefore with British imperialism under present circumstances is definitely of armies arrayed in two groups in the battle-field.

There have been different phases in our national struggle, but British onslaughts against our fronts have always been launched in all their fury and vengeance. The tempo of the struggle at times gets fast or slow. But there is no respite, no truce, and our war of Independence goes on until we achieve freedom.

By begging, you may secure the release of Jayaprakash but it will be of no use to you as he will again be arrested on some pretext or other. So long as British imperialism is not thrashed into submission there will be no improvement in our situation. In this connection, I would recall the dictum of the late Deshbandhu C.R. Das, who said 28 years ago that all the Indian population was in prison suppressed with heavy irons if any of its patriots was incarcerated.³ I myself feel as if in prison when I find that Jayaprakash and other patriots are pining in jails.

Jayaprakash is a great patriot. Whether in jail or outside a patriot like Jayaprakash always gives forth inspiration and strength capable of shaking the very basis of British imperialism. When the government arrested the leaders on 8 August 1942, it was under the delusion that a sense of defeatism had enveloped the Congress organisation. But to its amazement it found mass upheaval and upsurge. After the repression some misconstrued the silence as a sign of demoralization and here the Bihar people showed that their spirit remained unflagged and redoubled. The result is that Bihar today is agog with excitement and passion to sacrifice the best at the altar of freedom's fight. Your spirit, instead of being curbed, has increased in magnitude. In modern times the sword alone does not count. It is the force of ideas and of freedom that matters much. Difference in ideologies inside the Congress organisation is immaterial. Every member of the organisation is a fighter of freedom. If he is in jail we are all in prison. We are all brothers in spite of our differences; we must secure the release of imprisoned patriots but with due honour and dignity.

¹ Jayaprakash Narayan was released on 12 August 1946.

² Please see the chapter on Indian National Army Trial.

³ In a speech on 31 December 1917, protesting against the internment of Mohamed Ali, C.R. Das said: 'Let the whole country be considered as a prison and let us with folded hands tell the Government, in case of every internment, if you intern that man, you have got to intern the whole of India.'

79. Freedom Fighters of Bengal Still in Prison and their Treatment

Letter from Provincial Congress Committee, 26 December 1945.

AICC Papers, File No. G-38 of 1945, NMML.

Dear Friend,

With reference to your circular No. 4 dated 27 October 1945. I regret it was not possible to reply to it, as the matter involved collection of statistics from the different districts and our workers were all out for the Central Assembly Elections. We moved the Home Department of the Government of Bengal for the number of security prisoners still in jail, but they have said a curt 'no'. The present statistics therefore supplied herein are based on non-official sources and information.

There are, so far as we have been able to gather, 264 security prisoners still rotting behind the prison bars in Bengal. Some of them were arrested long before the August movement and were intimately connected with the Congress. Three of them are members of the AICC. These 264 include 6 women detenus. Besides these, there are 38 long-term political prisoners including those of the Chittagong Armoury Raid case. There are also no less than 48 other political prisoners, (many of them belong to Midnapore) who were convicted of offences in connection with the August movement. The exact figure is not available. There are 6 'absconders' (political) whom the Government have declared as such. Since April 1943 there have been released 1556 security prisoners. It is not possible to give the figure of release since June 1945, as Government have refused to supply us with any figures. There are no under-trial politicians now.

As regards the treatment of the political prisoners, it is in one word simply bad and is just what you can expect from an irresponsible Executive functioning with perfect non-challenge under a Government under Section 93. Representations from the detenus are not cared for, nor are they often replied to. There are certain rules regarding the supply of clothings and other amenities to them, but they are honoured more in their breach than observance. The hospital arrangements in jails are most unsatisfactory and inadequate. There are some detenus suffering from serious disease, but they have not been released. There are about 16 detenus suffering TB, but the Government would not declare them as such. Cases of Gastric troubles are many, specially with regard to the long-term prisoners who have already spent some 16 to 18 years in jail. A handful of the detenus have gone mad and one of them has been transferred to Ranchi Mental Asylum. The elections to the Provincial Assembly are on us. Some of the detenus, well-known Congress workers, want to stand as candidates. We have moved the Government to give them proper facilities for the purpose of their candidature, but no satisfactory arrangement has yet been done.

As regards the political prisoners convicted in connection with the August movement many of them have been put in class III and separate class. Their condition is the most pitiable. It is a tale of untold sufferings. They are supplied with no mosquito curtains or proper warm clothings in winter. They have to labour like ordinary prisoners. All the rigours of jail life are there and their cases deserve an immediate attention.

Yours fraternally,
Kalipada Mookerjee
Secretary, BPCC

80. Shia Conference: Do Not Support Pakistan, 25 December 1945

Times of India, 27 December 1945.

Poona, 25 December. A resolution stating that the Shias could not support the Muslim League demand for Pakistan was adopted today at the meeting of the Council of Action of the All-Parties Shia Conference. Mr Hoosseinbhoy Laljee presided.

The Council feared that the establishment of Pakistan would ostensibly result in the establishment of the Honafi Shariat in the area, a Shariat which was fundamentally different from the Shariat Jaffri or Imamia law which was followed by the Shias. The Lahore resolution of the Muslim League, wherein it was stated that provision would be made in the constitution for adequate and effective protection of the religious, cultural, economic and political rights of the minorities, did not make clear whether the Shia community would be recognized as a minority in the constitution. On the contrary, the attitude of the Muslim League High Command refusing to recognise the Shias as a separate important Muslim minority to be governed by its own Shariat, made the Shias sceptical of the demand of the Muslim League for Pakistan, and the Council thought that it was not possible for the Shias to support the Muslim League demand.

After referring to its fruitless efforts to come to an agreement with the Muslim League, the Council authorized its president to approach other political organisations to secure their co-operation for the recognition of the rights of the Shias as a distinct and important minority in the future constitution of India.

The Council also decided to arrange for a deputation to be sent to the Secretary of State and the Viceroy to represent their case and also place before the parliamentary delegation their claims and demands.

81. Opposition to Demand for Pakistan

Abbas Ali's statement in Calicut and Maulvi Nooruddin Bihari's speech at a public meeting in Peshawar.

Times of India, 27 December 1945.

Calicut: It was un-Islamic on the part of the Muslim League and Mr Jinnah to hold up swaraj when the Congress by its untold sufferings and sacrifices was on the eve of attaining the country's cherished goal, said Mr Abbas Ali, former Chief Presidency Magistrate, Madras presiding over a mass meeting of Muslims from different parts of Malabar convened for inaugurating the election campaign on behalf of the Kerala Muslim Majlis.

Mr Abbas Ali criticised the League's demand for Pakistan. In his opinion it was not good for the country. He said that there was nothing common between the Muslims of Malabar and the Muslims of the Punjab, Bengal or Sind and it was not possible for Mr Jinnah to establish Pakistan government except in Sind. In the Punjab and Bengal, it was not possible for the League to establish their own government without the co-operation of other communities. In their own interest, he would advise them to live in amity with the Hindus and at the same time see that their interests were safeguarded by the Congress.—API.

Peshawar: 'Pakistan means utter ruin of Indian Muslims. The creation of such a Pakistan will be opposed and it will never become a reality,' said Maulvi Nooruddin Bihari, addressing a public meeting held under the auspices of the Congress Committee last night on 24 December 1945. He said that the establishment of Pakistan would mean the social and economic liquidation of Indian Muslims. He advised the people to look to realities. 'How will the Pakistan comrades rescue their

brethren in minority provinces when they could not help the Muslims of the neighbouring tribal areas?' he asked.—API.

APPENDIX I

Parallel Government: Continuation of the Quit India Movement in Satara during 1945

Some instances of activities of Parallel Government, available from the Government records, are given below. (The period covered extends from January to September 1945. These have been collated from the District Magistrate of Satara's Weekly Confidential Reports, Superintendent of Police's Reports, Bombay Province Fortnightly Reports, Provincial Weekly Reports, Government of India, Home Dept, Political Branch, NAI.¹)

¹ These reports branded the underground workers as gang of saboteurs/political absconders/Congress vagabonds etc.

1. Extracts from Provincial Fortnightly Reports for the Second Half of January 1945

GOI, Political Dept, Political Branch, Secret File No. 6(15)-P(S)/45

Subject: Distribution of extracts from Provincial Fortnightly Reports for the year 1945.

Secret

Bombay Civil Disobedience Movement—The following incidents were reported during the fortnight

On 15 January, a gang of six political absconders belaboured a Police Constable, who was on leave, and the members of his family, at Shrivali (a village in Satara District) as a reprisal for alleged mal-treatment of innocent persons during the investigation of a case relating to the theft of a police musket. The culprits also demanded Rs 1,000 from a man of the same village on the plea that he was a Police informant. A gang of some 30 men in military dress chased the patrol men and tried to fix gum straps to the rails near Saswad on the M & SM Railway. There was, however, no damage to permanent way or rolling stock. Two sleepers of a culvert between Bhaher and Kathlal on the BB & CI Railway were found burnt and a threatening letter was tied to a wooden pillar of the Forest Rest House, at Khed in the West Khandesh District. On 30 January, a gang of 25 persons armed with rifles and spears assaulted one Dayanu Natha Jadav (a military pensioner), kills Machindragal in Satara District and took away from him one rifle, one sword and one hundred rupees in cash.

Two political absconders wanted by the Satara Police for offences in connection with civil disobedience movement were arrested on 30 January near Ahmednagar Railway Station. A reward of Rs 1,000 was proclaimed by Government for the arrest of one of these absconders.



2. Extracts from Bombay Provincial Weekly Report

Home Dept, Bombay Provincial Weekly Report, File No. HB (Spl.) 1018/1942-45

Confidential

No. C/863

*Office of the DS of Police,
Satara, 19 April 1945*

Subject: Looting of fire arms from Police Stationed at Shenoli Railway Station.

LGP

Further information to hand shows that the scene of offence is in Aundh State within the limits of Gondi village. The two West Khandesh Head Constables' story is that they went for Shikar on Saturday (15 April 45) and shot some birds in the limits in Gondi. They returned to the same place next day and met 3 people, who asked them if they had shot anything and they replied that they had the previous day but not today. The 3 men advised them to go to the river to shoot some duck and the Head Constables agreed. Accordingly they went and wounded a bird and followed it up but did not get it and were returning along a canal, one on either side. At about 6 p.m. they came across 6 persons cutting grass 3 on each side of the canal who when they came abreast of them attacked them. They were armed with scythes and had one axe. The guns were snatched from the Head Constables and then they were tied up after which their assailants made off with the two guns of LG Government cartridges, a cap, a pouch and chappals. One Head Constable untied himself and then untied the companion.

It is a strange incident and appears to be the work of local villagers. Possibly it may be in revenge for the arrest of Swami Ramanand who was arrested in the same village of Gondi on 28 March 1945.

J. Hobson

Dist Supdt of Police,
Satara

Confidential

No. C/872

*Office of the DS of Police
Satara, 20 April 1945*

IGP

It now transpires that the Head Constables went for shikar to the river next day 16 April 1945 and that it was on the way back that they were assaulted and robbed. There were only five accused and Head Const. No. 595 Kashiram Sakaram put up some resistance and one of the dacoits who had overpowered his companion Head Constable No. 628 Devram Daqura crossed the canal which was dry and came to the help of his two co-accused.

The Addl. DSP raided the Gondi village on the morning of the 18th and during the raid one individual Pandu Dattu Powar was recognised by the Head Constables. He was arrested and during the course of the day he gave full story of the incident. That the Head Constables. Had been seen on Saturday the 14th and that one Kisan Master (wanted at Islampur Police Station) hatched the plot to waylay the Head Constables in Aundh State limits and to get their firearms. Pandu gave the names of his four companions all of whom it seems took part in the offence for the excitement, except Kisan Master who has been absconding for some years. One of the accused is Maruti Kasu Mane who is the Rashtriya Seva Dal instructor of the Gondi village squad. A search

was made for the guns on the 18th morning but it seems that after the arrest of Pandu they were moved for the search was unsuccessful....

J. Hobson
Dist Supdt of Police
Satara

3. Extract from Bombay Provincial Weekly Letter No. 18,
Dated 5 May 1945

Home Dept, Bombay Provincial Weekly Report, File No. HB(Spl.) 1018/1942-45.

(d) Civil Disobedience Movement:

The Province was quiet except for the following two instances of mob violence and intimidation reported from Satara District:

Mob Violence—On the night of 28/29 April, an armed gang of about 15 persons suspected to be of Pandu Borate and Bapu Kachare, raided village Deur, shot dead the Police Patil and belaboured the Talathi, his wife and some members of the Grain Association for the alleged sale of sugar at exorbitant rates and the forcible collection of grain. The Patil is reported to have seriously wounded one of the gang with a sword.

Intimidation—On 26th April, two political absconders armed with a revolver assaulted a Police Constable of Dahiwadi on his way to Shirawali, threw his cycle in the river and ordered him to return to Dahiwadi at the point of the revolver.

On the night of 28 April 1945 Shankar Bala Chambhar and Vithoba Lak Chamber both of Kumbhargaon, P. Stn. Patan, were bastinadoed by six unknown persons for not removing sheds from behind their houses. An offence has been registered.

On 28 April 1945 at about 9.30 p.m. some thirty to forty Congressmen armed with rifles, sword, spears and pistols attacked Deur village in the Koregaon taluka. They called 50 to 70 villagers to the village Chavdi and beat Moti Chatur Shankar Vani and Vasudeo on the ground that they sold customers short quantities of corn and sugar from the Distributing shop. The Talathi was also belaboured on the ground that he collected excess grain against the quota laid down in the levy scheme. The village Police Patil was shot dead with a pistol as he resisted and badly injured one of his assailants. An offence has been registered and investigation is in progress.

On 28 April 1945 one Kisan Bhau Shinde, Nhavi of Karad was bastinadoed by 12 unknown persons on his way to Indoli where he was going to arrange for the marriage of his daughter. The reason is that he gave evidence and acted as a Panch in many police cases. Two of the culprits had pistols and the remaining ones had lathis. Subsequently on 2 May 1945 this individual died in the Karad Hospital. The offence has been registered and investigation is in progress.

4. Extracts from Bombay Provincial Weekly Reports

Home Dept, Bombay Provincial Weekly Report, File No. HB(Spl.), 1018/1942-45.

Extract from the Weekly Confidential Report for the week ending 9 May 1945 by the District Magistrate, Ahmedabad.

‘On 4th May the train from Mehsana to Viramgam was held up by dacoits at night and the mail van was looted. The loss is estimated at Rs 50,000. From the slogans uttered by the dacoits they appeared to be adherents of Jai Prakash Narain. Investigation is proceeding.’

From

K.D. Billimoria, Esquire, BSc., IP
Supt of Police, BB & CI Railway and
S.J.M. Beerzada, Esquire, BA, LLB, IP
Additional Dist Supt of Police, A'bad.
Camp Viramgam, dated the 8 May 1945.

Subject: Looting of Mail Van of No. 5 Down train of the GBS Railway on 4-5-45.

1. On 4 May 1945, No. 5 Down train of the GBS Railway left Mehsana in the evening for Viramgam, carrying the mails from Sind and Upper India for Kathiawar. It left Bhankoda Station for its last journey to Viramgam soon after 10 p.m. When it had gone about 3 miles, it was stopped by pulling the vacuum brake in the front brakevan, which was unoccupied, between miles 31/5 and 31/6. Two dacoits caught hold of the Guard and made him a prisoner in his brakevan. Two or three threatened driver and made the inmates leave the engine under threat. About seven, of whom three were armed with pistols, entered the mailvan and beat the four inmates with sticks. They removed about 80 insured covers, whose value is not yet ascertained, but is likely to be in the vicinity of Rs 2,000. They took those covers in a gunny bag which they had brought with them. The other parcels they discarded on both the sides of the van. The passengers were made to shut the doors and windows and kept in their seats by about a dozen dacoits who were patrolling both the sides of the train for 45 minutes during the loot. They were also firing pistols in the air to frighten the inmates of the train. Ten rounds including three empties, six misfired cartridges and the live cartridge, of .350 RIGBY NITRO, KYNOCH 400-P, 44-W.C.F., Elly London .450, and WRA Co. 44-VCE, were left at the scene. Some of the footprints were traced upto village Paner, about 4 miles from the scene of the offence, and were then lost in the fields.

2. Besides the four Postal servants in the Van, the Guard, the Driver, one Head Constable of Viramgam LIB, and an un-armed Constable escort of the Viramgam Railway Police Station, and the Mamlatdar of Viramgam were in the train. They behaved like the other passengers and kept themselves shut in the train. The dacoits knew that the Railway Police Constable was in the ice van and made inquiries about him. After the looting was over, the dacoits were assembled by a whistle call by two of their leaders who wore hats. After singing nationalist songs and shouting nationalist slogans they dispersed. The train was then started and brought to Viramgam.

3. The Sub-Inspector of Railway Police, Viramgam, searched the mailvan and made a nama; no clue was discovered. Then he along with the Sub-Inspectors of the Viramgam Town and Police Stations, motored to the scene and also searched the neighbourhood for two days along with the armed guard of the District Police, and District Police Officers in whose Jurisdiction the scene of the offence is situated. They did not succeed in getting any information of value.

H.D. Billimoria
Supt of Police, BB & CI Railway
J.M. Beerzada,
Additional Dist Supdt of Police,
Ahmedabad



5. Extracts from Bombay Provincial Weekly Letter No. 21 d. 26-5-45

Satara District:

(V) Law & Order:

Gangster activities continued in the Satara District. On the night of the 9th instant, 20 gangsters, armed with deadly weapons entered Divad village in Man Taluka, asked for the Police Patil and the Talathi and having failed to find them held a meeting in the chavdi in which they exhorted the villagers not to help Government servants in any way; on 11th, the Assistant Talathi of Lasure, Taluka Koregaon, was belaboured with sticks and threatened not to collect grain from villagers by a gang of 6 men of whom 2 were armed with guns; on the night of 12th about 50 men, armed with guns, swords, spears and lathis, visited Soni village in Tasgaon Taluka, assaulted the special Talathi, the Police Patil and a village servant (Mahar) accusing them of harassment in grain collection. When the gang was leaving the leader gave the order 'Yelavi Dal—Quick March'. (Yelavi is a village near Soni and 'Dal' presumably means the RSD); on the same date five gangsters threatened the Police Patil of Mahimangad, under Dahiwadi Police Station and demanded Rs 1000 from him. He could not, however, find the money. On 19th Bapu Kachare, a political absconder of Budh accompanied by one of his associates, visited Nidhal under Vaduj Police Station and after abusing the Police Patil for collecting for the War Fund from the villagers of Budh demanded the return of the money. He then fired two pistol shots at the Police Patil and one at the Police Patil's brother causing injury to the latter. His associate inflicted a severe axe blow on the right leg of the Police Patil.

6. Extracts from Provincial Fortnightly Reports for the Second half of May 1945¹

GOI, Political Dept Political Branch Secret Bill 6(15)-P(S) 45.

Bombay

Secret

Civil Disobedience Movement—Satara District continues to be a hot bed of subversive activities. Political absconders and others victimise Government servants and forcibly arbitrate in civil matters. It is reported that tribunals have been appointed on the lines of village Panchayats, at the instance of saboteurs, to tour villages and give decisions in cases of disputes. The decisions of the so-called tribunals are enforced by threats, assaults and extortion. Mr N.V. Gadgil, a leading Congressman, claimed in this connection in his speech at the meeting of the Maharashtra Provincial Congress Constructive Committee on 9 May that Congress agents in the southern part of the Satara District were now arbitrating 75 per cent of the civil disputes in that area. It is difficult to assess at this stage the extent to which important Congress leaders are directly or indirectly responsible for these activities. Nevertheless, judging by the speeches made by Mr B.M. Gupta, Mr P.S. Pane and other Congressmen to students at the Spring Study class at Poona, after their tour in Satara District, in which they prophesised the use of guerilla tactics and usurpation of village authorities by professedly non-violent means in the next struggle for independence, it is clear that the successes the Satara gangsters are having has whetted the appetite of some Congress Workers for more extensive action on similar lines.

On 28 April an armed gang of 12 persons bastinadoed Mr K.B. Shinde of Karad for giving evidence on behalf of the Police. The victim died on the 2 May in the Karad hospital. On the same day two men of Kumbhargaoon were bastinadoed by six unknown persons for not removing sheds from behind their houses. On the 2 May some political absconders and gangsters compelled a villager of Mahind to hand over a pair of silver anklets to another man of the same village on pain

of severe beating. On 9 May some 20 armed gangsters visited a village, asked for the Police Patil and the Talathi and having failed to find them, held a meeting in the chavdi and asked the villagers not to help Government servants in any way. On 10 May some persons bastinadoed the Revenue Circle Inspector, the Talathi and the Revenue Patil of Karenje for alleged coercion in the collection of foodgrains from villagers. On the same day a gang of 15 saboteurs threatened the Talathi of Duvad and the Police Patil of Jambhulni for their assistance in recruiting. On 11 May the assistant Talathi of village Lasurna was belaboured and warned not to collect grain from villagers by a gang of some six Congressmen. The offence took place in the Aundh State limits. On the night of 12 May some 50 armed men visited Soni village and assaulted the special Talathi, the Police Patil and a village servant, accusing them of harassment in grain collection. On the same date five saboteurs threatened the Police Patil of Mahimangad and demanded Rs 1,000 from him. On 19 May, two political absconders visited Nidhal village, abused the Police Patil for collecting money for the War Fund and fired two pistol shots at him and one at his brother, causing injury to the latter. Outside Satara District there was little subversive activity during the fortnight....

¹ Some of the incidents have been reported in the Weekly Report dated 5 December 1945.

7. Extracts from Provincial Fortnightly Report for the Second half of June 1945

GOI, Political Branch File No. 6(15)-P(S)/45

Bombay

Secret

Civil Disobedience Movement—The disturbed conditions prevailing in Satara District show no signs of improvement. It is reported that a Terrorist Group, known as the Dahashatwadi Dal, has been in existence in Kundal (Aundh State) for some time past, consisting of specially selected members of local and neighbouring Rashtra Seva Dal units. The gangsters use the members of the Dahashatwadi Dal to carry out their arbitration and victimization orders. The District Magistrate is of the view that generally the movement seems to be assuming more of a criminal than a political aspect and that the goondas, mainly Ramishis, are exploiting the situation. He further states that the absconders have very skillfully set up an organisation to which the villagers is turning, through pressure or sympathy, for the redress of his grievances and that the documents seized in a raid at one of the villages where a 'Court' of the so-called parallel government was holding a session to show that the absconders have advanced a long way in setting up all the features and paraphernalia of a parallel Government.

On 22 May some five absconders visited Pangari village and demanded money from one Bahiru Manji Dadas. He has not yet admitted, probably through fear, whether he gave any money or not. On 9 June an armed gang of some 100 persons entered village Karwe and bastinadoed some seven persons of the village. On the same date some 20 armed gangsters visited village Kale and dragged the Police Patil and six other persons out of their houses, asked them to confess their alleged misdeeds and bastinadoed them outside the village. On 12 June a gang of five persons armed with a gun, a sword and revolvers visited village Pachwad and demanded Rs 2,000 from villagers under threats. Two of the gangsters then went to every house in the village and collected Rs 6 from each house. Their booty amounted to Rs 350. On the same day, a gang led by political absconder Bapu Kachare bastinadoed one Yeshwant Dadu Rameshi of Budh for acting as a police informant. On 16 June the Police and Revenue Patil of village Neveri and the local grocer were bastinadoed by some gangsters for giving information to the Police of their activities. On 17 June

some six Congress absconders came to Shivani village and belaboured two villagers with sticks. On 20 June some seven persons armed with pistols entered Kundal village, took the village Talathi and one Krishna Buwaji Shinde to a field, questioned them regarding the collection of grain and of money for the War Fund and also about the number of recruits they had secured for the army. They also demanded Rs 1,000 from Mr Shinde as he was alleged to have purchased some land which had been auctioned. Mr Shinde yielded to the demand to the extent of paying Rs 200. On 21 June some eight persons came to the chavdi of village Jalgaon and removed the records of the Police Patil and Talathi concerning the village. On 22 June four persons, two of whom had revolvers, bastinadoed Janu Appa Kokane who was wanted in several sabotage offences was arrested in Belgaum District on 4 June. Another important arrest was that of Zaver Manor, a criminal absconder who was responsible for several robberies in Kaira District. One Korale, an absconder connected with the Kandampur Temple dacoity referred to in my letter for the first half of May 1945 was arrested in Satara District on 7 June.

8. Extracts from Provincial Fortnightly Reports for the First Half of July 1945

GOI, Political Department, Political Branch Secret File No. 6(15)-P(S)/45.

Political: Civil Disobedience Movement—The state of lawlessness in Satara District referred to in my previous letters continues. Vigorous measures to check the activities of the gangsters are being taken. Some arrests of persons suspected of helping the political absconders have already been made. On 26th June about 200 policemen headed by the Additional District Superintendent of Police raised a temple in Nerla village where an illegal gangsters' court was functioning and arrested 27 persons assembled there. Important documents including the original applications presented in the court and a register of summary trial proceedings were seized.

9. Extracts from Provincial Fortnightly Reports for the Second Half of July 1945

GOI, Political Branch File No. 6(15)-P(S)/45.

Bombay

Secret

Political: Civil Disobedience Movement—The state of lawlessness continues in Satara District. The gangsters are reported to be operating in smaller gangs and covering a greater area. Increased Police activity and patrolling throughout the district are, however, having a very salutary effect on public morals and are also keeping the absconders at bay. Three arrests of important associates of the gang leaders were made during the fortnight. The District Magistrate, Satara, observes in this connection 'though it is as yet too early to strike a note of optimism there are indications that the tide is slowly turning in our favour.'

Some people, who thought that the situation in the district would have improved had the Simla Conference been successful, now expect that the gangsters will continue their activities as before. This view is probably correct, if judged by the fact that a cyclostyled Marathi bulletin entitled 'Swatantra Bharat' has begun to be issued in the district. The first issue of the bulletin dated 6 July justifies the 'Quit India' movement and the use of violence in retaliation to Government oppression. It condemns as cowards and hypocrites those followers of Mr Gandhi who harp on non-violence and criticize underground workers.

10. Extracts from D.M. Satara’s Weekly Confidential
Report for the Week Ending 2 August 1945

Government of Bombay, Home Dept (Spl.) Bombay, H.B. (Spl.) File No. 1018/1942-45

Confidential

Satara District

No. MAG 2317

Weekly Confidential Report for the week ending 2 August 1945.

A statements of offences reported during the week is appended.

I regret to report that the situation still continues to be serious. The Police are doing all they can and have in fact made one or two important arrests during the week. From the information received it is clear that the underground organisation has been perfected and has its roots far and wide. It will need all the skill and strength of Government to stamp it out. Further details of the organisation as revealed by one Kisan Master who was arrested recently will be submitted to Government shortly.

The long break in the weather continues and no sowing has taken place in large parts of Man, Khatav and Khanapur Talukas.

A.L. Dias,
D.M., Satara

Date	Village and Taluka	Nature of offence
18-7-45	Kapri (Shirala)	One Dattu Krishna Patil has been abducted by unknown persons. His father has received a letter posted at Kundal to the effect that Dattu is taken to unknown place to stand his trial before the Congress Court.
22-7-45	Saspade (Khanapur)	At 9 a.m. some 25 unknown political gangsters bastinadoed one Bhagwan Sawant saying that he was village tout and a such had committed a lot of mischief.
23-7-45	Wadgaon-Haveli (Karad)	While camping at this village the Veterinary Surgeon of Karad was taken away by 3-4 Congressmen to an unknown place when 100 to 150 persons armed with sticks and spears were present. He was questioned about his occupation and was let off without any harm.
—	Amnapur	One Chandru Mahar was hit with a stick by 2 political absconders and was asked to pay Rs 100 or to return the missing she-buffalo of one Taibai Mahar.
—	Biranwadi (Tasgaon)	At night some 50 political gangsters beat with sticks 3 villagers. They sang ‘Vande Mataram’ and warned the villagers not to help Govt servants.
24-7-45	Supande (Karad)	At about 8 p.m. 15 political absconders armed with 2 guns and 2 pistols took one Kundlika Kadam to the Chindi and bastinadoed him on the ground that he helps the Police.

—	Karad	One tea-shop keeper left his house at 9 p.m. saying that he was going for work and would return within a couple of days. It is suspected that he has been abducted by Congress Workers.
24-7-45	Apsinge (Khanapur)	At 5 p.m. people from Nerli, Kotawale and 33 political gangsters assembled at the village and belaboured some Ramoshis of these villages. Of the political gangsters, 10 to 12 were armed with guns and 4 with pistols.
25-7-45	Sulewadi (Khanapur)	One Khot (village servant) threatened the milkmen of the village of bastinadoing in case they took milk to Vita.
26-7-45	Shalgaon (Khanapur)	At midnight 10/12 political absconders held a meeting and advised the villagers to unite. They slapped 4 villagers in the meeting.
27-7-45	Khodshi (Karad)	On the night 5/6 political gangsters visited the temple and belaboured 6 Ramoshis. Near the temple 200 gangsters had assembled of whom some were armed with guns and pistols.
30-7-45	Bhikwadi (Khanapur)	At 11 a.m. 8 to 10 unknown Congress gangsters armed with 4 or 5 guns and pistols caught hold of one Head Constable on beat duty, tied him to a post in a temple, his eyes were closed and he was slapped with chappals. At 8 p.m. the eyes of the Head Constable were untied and he was taken to a meeting attended by about 4,000 people. There were 3 political absconders there.

11. Extracts from Provincial Fortnightly Reports for the First Half of August 1945

GOI, Political Branch File No. 6(15)-P(S)/45.

Bombay: Civil Disobedience Movement—The state of lawlessness prevailing in Satara District shows no signs of any marked improvement. Police activity has been stepped up and made more effective as a result of which public confidence is beginning to return in certain areas. The gangs in the northern area are now more on the defensive. In the south, the gangs are still very influential and active. Statements of persons arrested in recent weeks go to show that the underground organisation has been perfected and has its roots far and wide. It is believed that the movement has received a fillip from recent speeches of Messrs S.D. Deo and Vallabhbhai Patel who are praising underground workers. With a view to suppressing the prevailing lawlessness Government has decided to ban the Rashtra Seva Dal and allied organisations under the Criminal Law Amendment Act and to arrest leading members of the Dal and other suspicious people under the Defence of India rules.

The Marathi Press has of late been publishing articles giving exaggerated accounts of alleged police atrocities in the district. Recently Mr N.V. Gadgil, a leading Congressman, observed in this connection in his statement to the Press 'Police excesses have embittered the entire country-side and I warn that the People's Government, which may not be long in coming, will forget nothing and forgive nothing.' Government has decided to start an effective publicity campaign in this connection.

Cyclostyled bulletins in English under the heading 'Destroy the dacoits with Dacoits' with a footnote 'Long Live the revolution' were noticed in circulation in the District. In the bulletin the Police are charged with associating with the dacoits and an appeal is made to the public to offer united resistance to all dacoits, arrest them and hand them over to the underground Congress workers.

12. Extracts from Weekly Confidential Report for the Weeks Ending 24 August and 30 August 1945

Bombay State Archives (Spl.) File No. PS III (Poll).

Confidential

Satara District

No. MAG 2317

Satara, 22 August 1945

Weekly Confidential Report for the week ending 24 August 45.

There has been a noticeable drop in the number of offences committed during the week. This is partly due to intense Police activity and the growing conviction amongst the public and the underground workers that we mean business. Possibly many of the absconders have temporarily moved out of the district. About 50 more persons were arrested during the week.

There has been a marked disposition on the part of local Congress leaders to come out into open and curb the present movement, as they are beginning to realise its implications and the discredit which it is likely to bring to the Congress organisation as a whole. Mr Power, the President of the District Congress Committee published a statement about three days ago in the *Sakal* disapproving of the methods employed by the underground workers and appealing to the public to adhere to the principles of truth and non-violence. Mr Shankarrao Deo has also been in this district and has, it is learnt, been advising the workers privately to stop their activities though when he made his reply to the Municipal address at Karad he adopted a non-committal attitude in the few passing remarks he made on the local situation.

One Mr S.S. Batliwalla saw me and the District Superintendent of Police during the last week. Apparently he has been sent out by higher Congress circles to study the local situation. In particular he came with the request that the ban on Mr Gadgil's entry into this district should be removed, as he argued that leaders like Mr Gadgil are getting seriously concerned about developments here and were anxious to come into the district and to denounce the present movement and to re-affirm official Congress policy.

Bombay State Archives (Spl.) File No. PS III (Poll) 1945-46.

Satara District

Weekly Confidential Report for the week ending 30 August 1945.

There has been a marked improvement in the situation in this district. No offences have been reported during the week. A good deal of information is now coming in and two important arrests were made during the week. One of them M.N. Jadhav was a dangerous absconder and had committed a large number of offences. On his person was found a document containing the diary of one of the absconders viz. Kasegaonkar Vaidya. This diary contained information regarding all the offences committed during the month by Vaidya. It also showed the fines collected, the persons bastinadoed, etc.

Except Congressmen in the district the public as a whole have welcomed the publicity campaign and the strong measures adopted recently, though a certain amount of nervousness is noticeable in connection with the prospect of the Military being brought in to the district. The general view

is that unless there is any return to lawlessness it would be best that the military move were postponed for the present.

It is reported that many of the absconders are now leaving the district but have decided not to surrender until further instructions are received from the Working Committee which is to meet sometime next month.

A.L. Dias,
D.M. Satara

13. Extracts from Provincial Fortnightly Reports for the Second Half of August 1945

Bombay

Political: Civil Disobedience Movement—The measures adopted by Government to suppress lawlessness prevailing in Satara District have had a very wholesome effect. Government had given considerable publicity to the atrocities committed in Satara. There has been a marked disposition on the part of local Congress leaders to come out into the open and some attempt to curb the present subversive movement as they are beginning to realise its implications and the discredit which it is likely to bring to the Congress organisation as a whole. Mr Power, the President of the District Congress Committee, published a statement in the *Sakal* newspaper of Poona disapproving of the public to adhere to the principles of truth and non-violence.

Only one offence was reported from the district during the fortnight. On 12 August some seven political gangsters armed with a gun and sticks pulled a boatman out of the ferry on the bank of the river Koyana and bastinadoed him for charging excess fares.

Collective fines—Collective fines amounting to Rs 35,000 were imposed during the fortnight on three villages in Satara District. The total collective fine imposed up to 31 August 1945 amounts to Rs 9,25,950 of which Rs 35,000 remain to be recovered.

APPENDIX II

Continued Rumbling of the Quit India Movement in Satara: A Government Report Press Note Issued by the Director of Information, Bombay 21 August 1945

Bombay Chronicle and *Leader*, 24 August 1945.

Following continued lawlessness and brutal atrocities in the Satara district, the Government of Bombay has declared illegal seven organisations and several other bodies there. About 3,000 persons also have been arrested and detained.

The banned organisations are accused of complicity in attempting to organise 'parallel government' and to impose its authority by a reign of terror. They are the Rasthra Seva Dal, the Dahashatwadi Dal, the Satara Congress Sarkar, the Satara Jilha Congress Sarkar, the Congress Sanstha, and the Patri Sarkar. The other bodies are those known as village scouts, village panchayats, village tribunals, Nyayadan Mandals, Congress Nyayadan Committees, Nyayadan Congress Committees, Samaj Seva Dals, Congress Mandals and many others which have the object of interfering with the administration of law.

Some members of the Rashtra Seva Dal are held to be assisting the terrorist gangs and the other organisations have been formed and named by the terrorists themselves. Nothing in the Government ban affects the village panchayats established according to the law and there is no interference with the working of the orthodox district Congress Committee.

The terrorist gang have been responsible for fiendish cruelties. The 'punishments' inflicted on villagers include bastinadoing, nailing of horse shoes to the foot, cutting off of arms and legs and shooting.

Eight men are known to have been murdered or to have died from the injuries received. More than 70 others have been bastinadoed and four have had limbs chopped off. Disturbances began in the Satara district in August 1942 and in the following 15 months there were 130 cases of damage to communications and public buildings, looting, theft of arms and robbery on postal peons. Then in November 1942 came the first bastinadoing, the victim being the Police Patil of Ane.

Three men, including a police constable and a police informant, were shot dead in the early months of 1944 and in July that year occurred the first case of maiming. A man named S.W. Deshpande of Walwa village had his right hand cut off and his left leg badly injured because he had signed a panchnama. A few days later N.A. Deshpande of the same village had his right hand chopped off and his left foot hacked for having given a police sub-inspector a ride in his cart.

Cases of physical violence increased from then onwards. Up to 5 August last at least 120 persons, including ordinary villagers, policemen and minor officials, had been maimed, bastinadoed, whipped or belaboured.

Victims are often 'sentenced' and 'punished' by so-called courts set up by the terrorists. These 'courts' are held during visits by terrorists leaders—absconders and their criminal associates who form the backbone of the terrorist movement. They rely on helpers in the area to see that the sentences are carried out and on armed strength to keep other villagers from interfering.

The helpers living in the villages and dispersing to their homes immediately after the commission of an offence are an important part of the terrorist organisation. Collectively they are known as the Tufan Sena (Storm troopers) and according to information obtained by the police, are often young men who have been through a course at a training school believed to be just outside British Indian territory. They also act as spies, keep watch on police patrols when absconders are in a village and carry messages between their leaders.

Besides physical punishments the courts impose fines and the absconders extort money to finance their operations. Several instances have occurred of gangs burning down houses, the most recent being on 5 August. The houses of three Mangs at Saspade (police station Baragoan) were set on fire and the son of one of the owners abducted.

To suppress the terrorist movement the Government has, besides the measure announced above, reinforced the police and instituted a system of special police patrolling. This has helped materially in restoring public confidence. Law-abiding villagers, formerly kept silent by fear of terrorist reprisals, are coming forward with information about the criminals and their movements, and the situation generally is improving.—API.



APPENDIX III

AICC Circular No. 1 Dated 5–10/1945 on the Resolutions Adopted, 21–23 September 1945 AICC Papers, File No. PD 1/45, NMML.

J.B. Kripalani, General Secretary, AICC issued the explanatory note on the resolutions adopted by AICC in Bombay, September 1945.

AICC Papers, File No. PD-1/1945, NMML, New Delhi.

To

All Provincial Congress Committees

Dear Friend,

I am sending you herewith copies of the resolution passed by the Working Committee and the AICC at their last meetings held in Poona and Bombay.

The resolutions lay down the policy and programme of the Congress and express the considered opinion of the Working Committee and the AICC on some of the problems, national and international which confront us. They are our guide in the activities we undertake in the near future for vitalizing and strengthening the Congress and educating our people.

The resolution on the 'Struggle of 1942 and after' is our humble tribute to the nation for 'the courage and endurance with which it withstood the fierce and violent onslaught' of the British Imperialism for full three years. The struggle our people waged during these years for the liberation of the motherland and the fearful and terrorist repression they suffered deserve to be recorded. We have in our office a skeleton report of the happenings in various provinces and States in India, but it is not complete. We owe it to our people and to posterity to prepare a full and comprehensive record of this historic struggle. You will please therefore immediately take in hand the preparation of the record for your province of the happenings of these fateful years and send it to our office. To facilitate the preparation of this document we shall be shortly sending you a questionnaire; but you need not wait for this questionnaire to prepare your report.

The resolution on Congress Policy is self-explanatory. It reiterates our objective, our policy that yielded rich fruit in the past and holds a richer promise for the future. Non-violent non-cooperation and the constructive programme are our surest sheet anchor in our struggle for national liberation.

The resolution on 'the new proposals of the British Government and the elections' relates to the immediate present and demands prompt action. Elections in a country, under foreign military rule have no great importance and yet in the present context our country, may not neglect them. These elections are contested primarily to keep away traitors and quislings from posing as the true representatives of the country. The Congress has therefore decided to contest the forthcoming elections in the centre and the provinces even though conditions for fair and free elections are wanting. The resolution states some of the handicaps under which the Congress will have to fight the forthcoming elections. You will please take all possible steps to see that the handicaps are removed. Even if they cannot be removed you will see to it that their effect is neutralized by public support and enthusiasm. You will please send us a full report of the handicaps under which you have to contest the elections, and the steps you propose to take to nullify their effect. You will give us, in particular, information on (1) the number of political prisoners in your province, (2) bans and restrictive orders, (3) the number and the names of disqualified candidates, (4) errors, omissions and false entries in electoral rolls. A copy of this report may also be sent to the Convener, Assembly Elections Board, Bombay.

Constitution Committee: The resolution appointing a committee to recommend changes in the constitution is designed to make the Congress organisation compact, effective and disciplined. The last struggle demonstrated the looseness of our organisation. We must so frame the Congress Constitution as could make our organisation effective in peace and war. We may not waste the strength we have gained, especially during the last three years, in internal squabbles and controversies. These weaken our ranks and divert the public mind from the chief task before us. You will please send to this office such suggestions about the changes in the Congress Constitution made should not be of a general character. They must be so framed as to fit in the constitution.

The temporary changes embodied in the constitution at Bombay are designed to bring in our fold as many as possible of the new workers that the 1942 movement brought to the front.

Constructive Programme: The importance of this resolution may not be judged by the economy of words used. This economy is of the essence of the constructive programme which is more concerned with doing than talking. The resolution is a fresh reminder of the central place the constructive programme occupies in our organisation. The Congress has in its ranks thousands of eager and patriotic workers. The constructive programme alone can profitably occupy them all. Through it, more than through anything else, will the nation gain strength, character, discipline, efficiency and a spirit of service and sacrifice. The different items of the programme are not only useful in themselves but they are designed to organise the nation in terms of a peaceful struggle for national liberation. Mere enrolment of members and fighting elections can not organise the nation. Only day to day work done in mutual cooperation can organise the nation. Such day to day work is supplied by the constructive programme. Its range and scope makes it suitable for all kinds of ability. The young and the old, man and woman, the rich and the poor can participate in it. The monthly report of Congress activities that this office expects from the provincial organisations must give an account of the constructive activities. You may rely upon this office to render all possible help in the prosecution of this programme.

Great tasks lie ahead of us, as also fresh tests and trials. There can be no rest or relaxation of efforts so long as the object of complete independence is not achieved. The strength and resources at our disposal have to be used with care and skill to enable us to meet the varied demands of a developing situation. We may not forget that only by themselves are nations made.

It would be sometime before our Inspectors undertake inspection of the provinces. In the meantime, you will please keep us in touch with your work through regular monthly reports.

Please acknowledge.

Yours sincerely,
J.B. Kripalani
General Secretary

Chapter 7. Congress-Communist Controversy and the CPI Programme

1. Between Mahatma Gandhi and P.C. Joshi¹

Correspondence Between Mahatma Gandhi and P.C. Joshi, Published by CPI, People's Publishing House, Bombay (1945).

P.C. Joshi to Mahatma Gandhi, Bombay, 1 February 1945.

Dear Gandhiji,

My last letter to you was dated 28 September 1944. You had promised in an earlier letter that you will refer the question of our moral bona fides and your what I may call the anti-Communist file to your worthy colleagues. I hope they have reached their conclusions and reported to you. But I have not heard anything from you yet.

You perhaps do not know that your name is being used against us in the recent Congressmen's Conferences and even otherwise by persons who pretend to know your mind, etc. I know that most of what they attribute to you could never have been said by you. But my own lips are sealed till my correspondence with you is concluded over the questions you asked me and they were very serious questions, doubting our elementary patriotic and moral bona fides. I hope with the help of your Working Committee colleagues, you have reached the conclusion that we are not unworthy children of our great people.

Great things are happening in the world but our country is going to pieces. We are anxious to write to you on the big political issues but as wrote to you before, it will be waste of your time and mine till you are convinced about out intellectual honesty and moral.

I understand from Dr Mahmud² that you think that you are the aggrieved party. This is exactly the opposite of what we feel. I, of course, meant no offence but only expressed my indignation at my Party being slandered and offered to go into the dock straightaway. I do not know what else I could do. Sjt Bhulabhai and Mrs Naidu had promised to speed up the matter but I have not heard from them at all. Rajaji told me that he had already told you all that he had to.

May I request you for an answer as soon as you can and to get your colleagues speed up their report to you.

I could send Mohan to pick up the answer and answer any further questions he feels himself qualified to tackle. I am going to Bengal for three weeks today. Could your answer be ready by the time I am back? Mohan will be very busy in my absence and will find it very difficult to come there in February, unless you specially want him to; but any date after 7 March will be best.

With respectful salutations,

Yours sincerely,
P.C. Joshi

Mahatma Gandhi to P.C. Joshi, Sevagram, 5 February 1945

Brother Joshi,

Received Your letter. Shall I reply in the national language?

I did not write to you because you yourself had asked me not to do so. Yes, you are right, complaint was mine. I wanted to come near you. To clear up that I asked, I wrote. In that there was no reason for anger.

I have given everything to Bhulabhai. There was some difficulty about one thing. Rajaji refused, because he is considered a partisan. I have already expressed my view. You must have seen it. I want to come still nearer to the Communists. But complaints continue coming to me. I have told everything to brother Habib. Mohan need not come. But if he wants, he can come.

Yours,
M.K. Gandhi

P.C. Joshi to Mahatma Gandhi, Bombay, 1 May 1945

Dear Gandhiji,

It is nearly three months since we last exchanged letters and eleven months since we began our correspondence. As you must know, a number of untrue statements concerning our correspondence have appeared in newspapers hostile to my party. I have not answered these as we were still exchanging letters, but I am naturally anxious that we should come to some understanding as soon as possible.

I would therefore like to send Mohan to discuss this matter with you. He would be able to come to Mahabaleshwar to see you on the afternoon of either Thursday 10 May or Thursday 17 May, whichever date is more convenient for you. Could you please let me know through the bearer which date suit you best and the time you would like him to come to your residence?

With respectful greetings,

P.C. Joshi

Mahatma Gandhi to P.C. Joshi, Mahabaleshwar, 3 May 1945

Dear Joshi,

I have your kind note.

You need not await the finale of our correspondence for answering untrue reports that may appear in the papers. That, however, apart Mohan may come on the 24 inst. if Thursday is only day he can spare. I am taking medical treatment at least till 10 and on 17 I have a meeting which may last 3 days.

Yours sincerely,
M.K. Gandhi

Mahatma Gandhi's Reply

In answer to a request from Mohan Kumaramangalam on behalf of P.C. Joshi for permission to print the correspondence that had passed between Mahatmaji and P.C. Joshi, and also requesting Mahatmaji to hasten the decision of Sjt Bhulabhai Desai on the questions given to him, Mahatmaji replied:

'I was glad to meet you any time and so I said "yes" to Joshi. But these two questions could have been answered in two lines. My correspondence with Joshi was never confidential. In any event it can be published at once. I think I said as much in one of my letters. I can't hasten Bhulabhai. I have sent him the papers I could. He could give his opinion any day he chose. My fear is that it wasn't be an award. It would be the opinion of a distinguished lawyer on the paper in my possession. But my own opinion is not formed. I want to pass no hasty judgment. Many honest Congressmen come to me or write to me from the various provinces that Communists have no principles save of keeping their party alive and beating their opponents with any stick that came to their hands. I am not going to base my opinion on this evidence either. I dare not condemn you, Batliwala, Joshi or Habib of Lucknow. He [Habib] was with me for over a month, I think he came for his father. I like him very much. On the whole I agree with Rajaji that you should refuse to put yourself in the dock. I do not want to pass judgment against political party. I tell friends to be guided by their own knowledge and not by my judgment which may be erring for want of complete evidence.'

Mahabaleshwar,
24 May 1945

¹ The earlier correspondences between Gandhi and Joshi held during 1944 have been given in Appendix I.

² Dr Syed Mahmud was a former member of the Working Committee of the Congress.

2. Congress Communist Controversy: Joshi's Summing up of his Correspondence with Gandhi, 30 June 1945

Correspondence Between Mahatma Gandhi and P.C Joshi. Published by CPI, People's Publishing House, Bombay (1945), Introduction.

I had no intention of publishing my correspondence with Gandhiji but interested elements have misused the fact and used it as a part of their anti-Communist crusade.

The Forum, which very pretentiously calls itself *The Indian Weekly News Magazine* but is really the forum for the Congress Socialist viewpoint, in its issue of 15 April 1945, wrote under the column 'News Chronicle':

'When P.C. Joshi Funked

Another startling disclosure was made to the Forum by astute K. Arunachalam, Associate Editor of *Bharat Devi* and author of the famous rejoinder to the Tottenham-Joshi brotherhood. Arunachalam, during his recent trip to Sevagram, where he met the Mahatma, gained knowledge of a true story concerning P.C. Joshi. It seems that the Stalin-quoting boy was given four questions by the Mahatma, appertaining to the political genuflexions of the Communists. Definite and speedy answers were solicited. Result: the death-defying Puran Chandra Joshi, hero of many transactions and inspirer of many documentary booklets, sneaked into the psychological underground and never turned up. All Sevagram bubbled with sumptuous laughter. It is also gathered that the inmates of the Ashram have decided not to grant any "interview" to these boys in view of the fact that they invariably try to twist and tamper them into their like patterns'.

Even the most prejudiced reader of the correspondence will see for himself that the Forum and its worthy correspondents put out lies as news.

The same story is propagated by the anti-communists from Andhra.

The delegates of some 'Andhra Provincial Students and Youth Congress Organisation' are reported to have told the Correspondent of the *Andhra Patrika* that Gandhiji told them: 'P.C. Joshi had talked to me for a little time. On that occasion I gave him some written questions and asked him to come again with answers for a discussion on the present political situation. He never turned up with answers. He had not even sent his answers through post.' Our readers have the choice of either considering Gandhiji a liar or this brood of anti-Communists!

The other Andhra daily, *Andhra Prabha*, also carries the same tale. In this case the name mentioned is K.L. Sundara Rao, member of the delegation to whom Syt Pyarelal, Gandhiji's Secretary, is reported to have said: 'Gandhiji demanded of Mr Joshi answers to some questions' and that 'Mr Joshi never showed his face again'.

If these young folks are taught to lie against their political opponents what will they do when they grow up?

Some other, relatively more responsible, papers got scent of the correspondence and got its contents from their own imagination.

The Hindi daily *Hindustan* under the headings 'We Should not be Expelled From the Congress' and 'Communist Leaders Appeal to Gandhiji' gives the following news-item, from Lucknow under date 5 December:

'It is learnt that Shri Puran Chandra Joshi, the General Secretary of the Communist Party of India, has opposed the expulsion of Communists from the Congress. This correspondence will be published shortly. The Communists want that Gandhiji should announce that their expulsion from the Congress is wrong.'

Another Hindi daily, *Vishwamitra*, on 1 December carried a similar message:

'It is learnt that a correspondence has been going on between Shri Puran Chandra Joshi, General Secretary of the Communist Party of India, and Mahatma Gandhi on the question of expulsion of the Communists from the Congress. The correspondence will be published very soon. It is said that the Communists want Gandhiji to say a few words, so that the impropriety of their expulsion from the Congress may be propagandised for.'

The above extracts only disclose how servile is a part of our public press that it can't conceive of any one corresponding with Gandhiji except to curry favour in one's own partisan interest. It is beyond their comprehension that a political party can have a political policy of its own and stand on its own legs while seeking fraternal understanding with all.

I have a sheaf of newspaper cutting before me on this correspondence and along the above lines. I hope the publication will put the liars in their place and end all speculation and honest men will get an insight into how we Communists think.

* * *

I do not propose to comment on this correspondence. It speaks for itself.

Very soon after I saw Gandhiji it became clear to me that the Congress Socialists had been repeating to him what they had been whispering throughout the country against us without caring to prove a single allegation however. More, they had organised a country-wide campaign for any Congressmen they could get hold of to write to Gandhiji.

In his first letter Gandhiji put some questions, both on questions of policy and also our political morals. I briefly answered all, only to put the policy problems aside till the charges against our political morals were either proved or dismissed.

Gandhiji did not agree with us about this being a people's war at all.

Gandhiji found my answer about our finances 'completely satisfactory'.

About other questions he wrote 'I understand your answers and appreciate them too. If I was free from prejudices, I would have no hesitation in accepting your answers. But my difficulty is real and I ask for your sympathy'. If the greatest amongst us pleads prejudice as coming in the way of his accepting what I say, I have nothing more left to say.

* * *

In his last letter Gandhiji says 'I dare not condemn you' and names other Communists whom he knows personally. Our real trouble is that every Communist hears the same thing now-a-days from his fellow Congressmen. None has anything definite to say except pay compliments to the Communist he meets but yet goes on repeating charges which have gained currency through sheer repetition and in the background of blind prejudice.

I literally bared my chest before Gandhiji. He had heard very serious charges against us and we offered him two alternatives.

First, let the accusers dare repeat their charges before the highest democratic tribunal, our great people anywhere we work and are known and where the accusers too work and live.

Secondly, I requested Gandhiji to refer his anti-Communist file to his three colleagues of the Working Committee who were then out. Syt Rajagopalachariar told me that I was demeaning myself by offering to stand in the dock. I told him that though I was much younger I was less sectarian than he and that I would consider it an honour and no dishonour to be tried by the respected Elders of our national movement. Mrs Naidu when she read the correspondence called the charges against our morals silly and expressed herself in public too. Syt Desai once said that he had heard from Sevagram that the anti-Communist file had been lost and was being looked for. And after a few months that he was awaiting some papers. I waited for eleven long months to be called up and answer things. I waited in vain.

There is no third alternative that I could offer to clear up the issues. Readers will see for themselves that our Party has nothing to hide and that if there is an aggrieved Party it is our Party.

* * *

Our aim in publishing the correspondence is not only to answer the insinuations made in the press about this correspondence but to make every serious patriot see for himself the depths to which our political life has sunk today.

Grave charges are made before the leaders of the nations but the accusers do not care to prove them. Factionalism and irresponsibility go together but have they ever gone to such limits?

Charges of the most filthy type, which on their very face read absurd, are very coolly made.

If such things can happen within our national movement where will it all end?

Such charges have been made on a nation-wide scale only once, in 1919-20, against the Congress, by the Government-sponsored *Aman Sabhas*. This should mean a lot to those Congressmen who are old enough to remember those days. I was a mere boy then but my blood used to boil after hearing and reading slanders against the Nehru family, the irreligiosity of Gandhiji, the squandering of the Tilak Swaraj Fund, etc.

Ours, however, is a young party. It would have been the most natural thing for us to get provoked. We may be young but our national movement is old, double the age of our Party and we endeavour to live up to its heritage of patience that comes naturally to an ancient people. If our political opponents can't fight us by political weapons and among the people and above all if lies and slanders are their only weapons it is they who are doomed. Such is our firm conviction.

And our fervent hope is that every reader of this correspondence will do his bit to get the issue of Congress-Communist relationship discussed with dignity. Slanderers are always a few but if the rest acquiesce they sully the political atmosphere as a whole.

30 June 1945
P.C. Joshi

3. Communists Acted Against Congress Policy: Bhulabhai Desai's Verdict as Conveyed to Gandhi

P.C. Joshi wanted Gandhi to obtain the opinion of Bhulabhai Desai on the issues—the correspondences between them from newspaper.

Leader, 20 September 1945.

Bombay, 19 September. On receipt of the opinion of Mr Bhulabhai Desai on the Communist Party of India and its activities since 1942 Mahatma Gandhi wrote the following letter to Mr P.C. Joshi, Secretary of the Communist Party:

Dear Joshi,

Advocate Bhulabhai Desai handed me the enclosed opinion yesterday. It is, as you will see, based on the papers I gave him at your instance some time ago.

Having had the opinion, you have the right to publish it for what it may be worth. The news almost daily poured into my ears by Congressmen to the effect that the party is unscrupulous in its methods and that it even resorts to violence makes it difficult for me to accept the opinion which is after all based on the papers that were in my possession on the date they were handed to the advocate. But I cannot judge the party on one-sided evidence. Nor have I the leisure to shoulder the burden of studying the evidence in a manner that would enable me to form an opinion.

The bitterness between the party and Congressmen, so far as I am aware, is growing. The best course perhaps is for you to consider the position in the light of Congressmen's opinion about the party and then do what may appear best to you.

If you propose to publish the enclosed you will please publish this too together with it.

Yours Sincerely,
M.K. Gandhi

Mr Desai's Judgment

The opinion expressed by Mr Desai reads:

It appears from the papers that between 6 May 1944 and 11 June 1944 Shri P.C. Joshi (Presumably the leader of the Communist Party in Bombay), had met Mahatmaji at Juhu. On 11 June 1944 Gandhiji wrote a letter to Shri P.C. Joshi adding five specific questions to the matters already discussed between them. Shri Joshi purported to answer them on 14 June 1944. Gandhiji addressed a further letter to Shri Joshi from Panchgani on 30 July 1944. Thereafter Gandhiji arrived in Bombay and wrote a letter to Shri Joshi on 15 September 1944 informing him that he had given to me the papers which he had and on which the correspondence was based.

The correspondence which is referred to comprise:

- (a) Two letters from Shri Kaleswara Rao dated 14 and 15 July 1944.
- (b) Letters from Shri Gulzarilal Nanda dated 17 June, 27 June and 29 July 1944.
- (c) A letter from Shri M.R. Masani dated 13 June 1944 accompanied by two pamphlets.

- (d) Certain statements made by Shri Sonuram Parikh and Shri Harihar Thakur dated 20 July 1944 and by Shri Ashwini Kumar Vyas dated 29 July 1944.
- (e) An un-dated pamphlet purporting to be a jail document of an enquiry said to have been held in Tanjore special jail.¹
- (f) A typed document purporting to record the activities in Bombay of the Communist Party during the 1942 struggle.

As far as I am able to judge from the correspondence Shri Joshi has not had the documents above mentioned except a quotation from a letter of Shri Kaleswara Rao dated 11 July 1944 (included in item (a) which was sent along with Gandhiji's letter of 30 July) 1944. That quotation refers to what is said to have occurred at a meeting said to have been held presumably in Vellore Jail. The charges in that quotation are:

- (1) That the members of the Communist Party were compelled to eat meat (whether they liked it or not).
- (2) That they advocated sexual anarchy in their speeches
- (3) That they were anti-truth, anti-non-violence and anti-Congress in their opinion.

Taking the first two charges, except what is said to have been exposed in Vellore Jail as having taken place (presumably at Bejwada) there is no satisfactory ground to support those two charges or either of them. From what I have known and seen of the Bombay Communists their conduct is a complete refutation of the two charges. Except occasionally and voluntarily in the case of some of them, most of them do not eat meat generally speaking nor do I find in their conduct any evidence of sexual anarchy. As far as I am concerned their conduct is honourable in these respect.

The charge made in the letter written by Shri Masani (being item (c)) refer mainly to the allegation that the Communists as a Party wanted to infiltrate themselves into the Congress Socialist Party and overwhelm it. I have read the pamphlets by Shri Jayaprakash and the other one emanated presumably from Shri Masani and they do no doubt disclose antipathy of the Congress Socialists towards the Communists and their desire not to allow the Communists to join their ranks, and overwhelm the Congress Socialist Party.

The letters of Shri Gulzari Lal Nanda (being (b)) show that the general policy of the Communists was to favour the war efforts and in prosecution of that aim they were carrying on anti-strike and pro-war propaganda. It further appears from Shri Gulzari Lal's letter that the techniques of the Communist Party had altered and that they had desired to enter Congress ranks with a view to influence their policy. To what extent the Communist Party functions in this country as an agency of the Stalinist regime in Soviet Russia is difficult to tell. Shri Joshi's answer was that they act independently though the principles on which they act may coincide with those of the Communist parties in Russia and several other countries in Europe and points in support of his conclusion the liquidation of the Third International by F.M. Stalin.

'The documents in item (d) suggest that some members of the Communist Party were acting against those members of the Congress who were carrying on strike propaganda after the arrest of the leaders in August 1942. It is candidly admitted by Shri Joshi that they regarded the European war, which is just now ended as people's war for the reasons he has given. Mahatmaji has disagreed with this conclusion in his letter of 30 July 1944, but it appears that the views and attitude of the Communist Party after 9 August 1942, have been to carry on a propaganda contrary to the views and policies of the Congress.

As regards documents in (e) and (f), they have been sent to Mahatmaji and that they have been generally referred to in his letter of 30 July 1944. I believe that they have not been categorically

brought to the notice of Shri Joshi nor he had an opportunity to answer the views and incidents referred to in those documents.

¹ See Appendix II at the end of the Chapter.

4. Charges Against Members of the Communist Party of India in the Congress: 21 September 1945

Framed by Sub-Committee, consisting of Jawaharlal Nehru, Vallabhbhai Patel and G.B. Pant, appointed by the Working Committee of the Congress.

AICC Papers, File No. G-23 (Part-I) 1945-46, NMML.

The AICC office having received a large number of complaints and accusations against the activities of Communist members of the Congress and of the Communist Party in India generally in relation to the Congress, the Working Committee have referred this matter to us for examination and, if the facts so warrant, to frame charges to which persons concerned might be invited to reply. There is a vast mass of papers and reports in the files before us. For the most part they are vague and sometimes irrelevant. Some of the charges, relating to individual or group activity, are serious, but they would require fuller examination and proof before any action could be based on them. We do not propose to take into consideration any of these vague and unproved assertions, or to initiate further inquiries in regard to them at this stage. As we understand the reference made to us, the Working Committee are concerned with the larger issues involved and not so much with individual misdemeanors. Under the Congress constitution and rules, it is open to Provincial Congress Committees or their executives to take disciplinary action against any individual Congressman or Congresswoman who has acted contrary to Congress policy. Such action, we are informed, has already been taken or recommended in certain cases by some Provincial Congress Committee. We propose, therefore, to consider only the broader aspects of the question in this report. It is not without significance, however, that complaints and accusations against communist activity in India have been received from a very large number of Congressmen all over India. There is also no doubt that the attitude of the Communist Party towards the communal problem and their unqualified support of the Muslim League's claim for Pakistan have added to the prevailing estrangement. It is manifest that there is at present a widespread and deep sentiment against members of the Communist Party in India, and the Congress rank and file are powerfully influenced by it. We cannot allow ourselves to be guided by this sentiment in considering any action which might have to be taken.

The Congress has in the past kept its membership open to all individuals, classes, and religious and political groups in India, provided only that the objective of Indian independence was accepted, as well as the method of peaceful and legitimate action. Within that broad framework various ideologies have found their place even when they were not wholly in line with the governing ideology of the Congress. Even foreigners who accepted the objective and methods of the Congress could join it. Thus the Congress has been more of a movement than a narrow political party. It has, however, functioned as a party also especially in the legislatures. Being an organisation which has indulged in militant action from time to time on an extensive scale, it has inevitably tended to function as a strictly disciplined organisation, even though it consisted of people with differing views on many political and economic matters. These two somewhat differing approaches—as a broad movement and as a disciplined Party—have usually been reconciled by allowing full freedom of expression of views and opinions and at the same time insisting on uniformity in action, especially

when that action meant a conflict with the British Government in India. In practice this meant freedom in discussing the policy to be laid down, and when that policy had been determined to undertake it as closely as possible, and certainly not to oppose it in any way. Without that strictness of uniformity in the field of action, the Congress would have faded away as a militant organisation and become an ineffective motley crowd pulling in different directions and wholly incapable of acting. Thus while different groups continued in the Congress, if any member of the Congress clearly acted against Congress policy, disciplinary action could be, and sometimes actually was, taken against him. This applied particularly to such Congressmen as were members of executive bodies within the organisation. It was manifestly absurd for a person to be a member of an executive committee when he or she did not accept the policy which that committee was supposed to further, or even opposed it.

Owing to the conflicts that have arisen between the view points and policies of the Congress and various communal organisations in India, it was laid down in the Congress constitution some years ago that "No person who is a member of a communal organisation, the object or programme of which involves political activities which are, in the opinion of the Working Committee, anti-national and in conflict with those of the Congress, shall be eligible for election to any office or membership of any elective Congress Committee.' Even in this case, it should be noted that members of communal organisations were not barred from joining the Congress as ordinary primary members; they were prevented from seeking office or membership of any executive.

The Communist Party in India came into existence in a very small way early in the twenties. It was for long an illegal organisation. A few of its members joined the Congress but the general attitude and policy of the Party were to criticize, ridicule and condemn Congress policy. Congress, which had spread to the masses of the people and especially among the peasantry, and was in fact carrying on mass struggles on an unprecedented scale, was characterised as a bourgeois reactionary body trying to prevent mass upsurges from following their natural course. In particular, the Congress leadership was blamed for coming in the way of the masses. Official Congress policy was often held up to ridicule. In spite of this no action was ever taken against the Communists in India by the Congress, partly because they were so few in numbers and influence that they did not count at all, and partly because they belonged to an illegal organisation which was being harassed and suppressed by the governmental authorities. The sympathy of Congressmen always went to all who suffered from Government's repressive policy. In 1929 when the Meerut trial took place, and many prominent Communists were involved in it, leading Congressmen helped in the defence.

Even in the early thirties the general attitude of the Communist Party of India towards the Congress did not change and was one of strong criticism and ridicule. In 1935-36, however, there was a change in the wider policies of the Communist Parties all over the world and attempts were made in various countries to form 'Joint Fronts' and 'Popular Fronts'. It took some time for the CPI to be affected by this, and indeed it was resisted for a while as it directly opposed the policy they had so far been pursuing. However, in 1936 Communists in India became more friendly to the Congress, exhorted people to join it, and tried to enter its local executives. From then onwards till the middle of 1939, that is for a little over three years, there was often much friction between the Communists and other elements in the Congress, but on the whole they functioned together and no major crisis arose. It should be noted that even this friction was in regard to internal and domestic policies in India, and seldom had anything to do with communism as such or with reactions to events in the Soviet Union. In the Congress there was a considerable body of opinion which was favourably inclined towards many of the aspects of communism and socialism, as there were also many who did not approve of the philosophy underlying communism. In particular, the stress by Communists on violent methods was in conflict with the Congress policy of peaceful

action. But in practice this did not usually lead to conflict in action, except occasionally in local areas. Usually this resulted in long and sometimes heated argument in AICC meetings. A few Communists, not exceeding 2 or 3 per cent of the total membership of AICC were selected to that body chiefly, because of the system of voting by means of proportional representation (single transferable vote) which enabled small minority groups to be represented.

It should also be noted that within the Congress ranks there was widespread admiration for many of the achievements of the Soviet Union, though some of the policies pursued there were not uniformly admired.

This was the background when the war broke out early in September 1939. The Congress policy before and after this turning point in world history is well-known. It was defined at same length in a statement issued by the Working Committee on 14 September 1939 and subsequently this led to the resignation of the Congress Governments in the Provinces. The Communist Party of India, characterizing the war as an imperialist war, bitterly attacked the Congress and Mahatma Gandhi for not launching a mass struggle immediately after the war began for the emancipation of India. The following extracts from a *Review on Gandhism* published by G. Adhikari at the time of the Ramgarh Congress in March 1940 may be read with interest in this connection.

- (1) Once Gandhism held the fate of British rule in its hand Today it pursues the logic of 'unconditional cooperation' with the same Government and that at a time when an unjust imperialist and predatory is raging in the world. Gandhism has entered into its decedent phase. At the most critical times of our national history it is acting as a fetter on the National struggle.
- (2) Immediately on the outbreak of the present war Gandhiji declared that his sympathies were with England and France. He responded to the call of the Viceroy and interviewed him. To the demonstrators and correspondents, who resented his action, he replied I have come to the conclusion that it is Hitler who is responsible for the war. If Hitler thought his claim to Danzig and the Corridor was just, he should have submitted it to an impartial tribunal. Britain is fighting a just war. A Satyagrahi must support a just cause even when it is spoused by an enemy. That is how 'non-violence' is invoked in support of an Imperialist war. Gandhiji would not bargain with Imperialism at this critical hour. He would not use England's difficulty to win India's freedom The popular feeling of 1939 on the other hand was violently against and demanded the immediate resumption of the national struggle for freedom.
- (3) The results of the strategy of stalemate which has been adopted during the last six months are clear enough. Firstly it will mean that the revolutionary vanguard is decimated in isolation through imperialist repression. Secondly demoralization would spread among the central elements in the Congress and bring them to accept the position that no struggle is possible, Gandhiji's line is the best Shorn of its moral embellishment it is the line of the cowardly and compromising bourgeoisie.... Gandhism still retains its leadership in the national movement. It is seeking to use its position to overtake and imprison the rapidly growing forces of revolution, to isolate and eliminate them. It is paving the way for the most ignoble compromise and defeat at a time when all the factors are favourable for decisive victory over imperialist.

In the summer of 1940 the collapse of France and the blitzkrieg over England produced powerful reactions in India and it was not considered desirable to start then the civil disobedience movement which had been envisaged in the Ramgarh Congress resolution. In the autumn, however, the situation in the West was more stable, while in India conditions were rapidly deteriorating. In

October 1940 the Congress initiated the individual Satyagraha movement, controlled and conditioned by Gandhiji. Referring to this, the *Communist* of November 1940 wrote as follows:

Human wit could not have drawn up any better rules for sabotaging all struggle and for dashing the national movement to pieces.... Every Congressman must be made to realise that this Satyagraha can only lead to our prostration before the enemy That we have a national leadership that can offer such a plan is the supreme tragedy of the situation.

Again the *Communist* of February 1941, wrote:

The national movement under bourgeois leadership has entered into a blind alley. They feared the masses and trusted Imperialism.... They put their class above the nation.... They hand over the national organisers to Imperialism for safe custody. They dissolve the Congress organisation lest the people might use it as the instrument of a mass struggle.

And in March 1941, the *Communist* wrote:

The struggle is a jolly merry-go-round. Shut up you irrelevant scoffer. It is a nation's solemn.... Non-violent.... Suicide. In the phase of its decay Gandhism can only pursue an anti-struggle and compromising policy.... The future under Gandhism is to lose all that the Congress has built up so far.

When in the summer of 1941 Nazi Germany attacked Russia there was widespread sympathy and anxiety for the Soviet Union all over India. The Communist Party of India naturally felt this all the more keenly but, in view of their past policy, it was not easy for them suddenly to change their whole attitude to the war. It took them many months to do so but when the change came it was a complete swing-over to the other extreme. The slogan of the 'Imperialist War' gave place to one of the 'People's War' and cooperation with Britain was urged. This was directly opposed to Congress policy then and later and friction resulted from it. Soon after the Cripps negotiations the old ban on the Communist Party of India was removed by Government and the Communist Party became a legal organisation in India. As such it carried on intensive propaganda for its new point of view, which brought it into direct conflict with Congress activities and propaganda. The Communist Party of India started a weekly, the *People's War*, to carry on this propaganda aggressively. Individual Communists who were members of Congress executives were thus placed in a very invidious position, and as they adhered to the Communist line, complaints against them began to mount up. There were some actual conflicts in public meetings, in Andhra especially, where it was alleged that Communists used violence. In some provinces, as in the UP, disciplinary action was taken locally against Congress members of executive who were adopting the Communist line. All this was in June and July 1942, prior to August. Thus the position had already become difficult before the August resolution was passed, and it was becoming increasingly clear that no person could or should be simultaneously a member of two executives with differing and hostile policies. In view of the vastness of the Congress organisation and the relative smallness of the Communist Party of India, the problem was not in a sense of great importance, but it created a great deal of bitterness.

The resolution of the AICC passed on 8 August 1942 was followed by the arrest of large number of Congressmen and other events which are well-known. Owing to governmental repression, spontaneous upheavals took place all over the country, hartals, strikes, etc. and there was also a good deal of violence in some places. While it was clear that no movement had been officially started by the AICC or Gandhiji, it was equally clear that this mass upheaval of unprecedented proportions was the direct consequence of the chain of events that preceded it. Undoubtedly it was a direct manifestation of the people's will, which the Congress had claimed to represent.

In this vast conflict between the forces of Indian nationalism and British imperialism, when people were being shot down by the thousand and many of the horrors of war were being perpetrated on unarmed people in the towns and countryside alike, the Communist Party of India appeared to be lined up with the British Government in India. It is true that they mildly criticised British policy occasionally and asked for the release of the leaders, but they also condemned as traitors many Congressmen and Congress groups and carried on a virulent campaign against the people's movement. Whether the Communist Party's policy was right or wrong it is not for us to consider here. But there can be no doubt whatever that it was opposed to Congress policy which had arisen spontaneously as a result of the people's movement. The two could not possibly be reconciled then or now. The *People's War* in its various editions in different languages carried out ceaseless propaganda against this people's movement in which nearly all Congressmen were involved in some form or other.

People's War dated 23 August, 1942, had the following:

'To call upon workers to go on political strike is not to exert pressure upon the British Government but to disrupt the country's advance and starve the workers for nothing. Continued production is a vital war necessity whatever the Government might be.' Again in the same issue we find the following: 'We Communists know that to keep production going is the workers' contribution to national defence and to keep transport running is to help to hit the fascist. We realise more seriously than others that there is no shortcut to Indian freedom except the unity of our nation which will bring us national government; and not Satyagraha nor sabotage, which can only destroy our national defence and open the gates to fascist invaders.' The following extract from Joshi's letter is significant: 'We gave up our strike policy because we considered it anti-national in the conditions of today, aiding the Jap aggressors on the one hand and intensifying the economic crisis for our own people on the other. That successfully prevented the Indian working class from resorting to strikes even in a period of their worsening material conditions is the measure not only of our influence over it but its capacity to understand national interests as its own.' Further: 'If you enquire into the bona-fides of the persons who have written to you, you will find that they are those who organised or supported the post 9th August sabotage campaign or have been intensely prejudiced against us by these people. They are bitter against us because we oppose sabotage and exposed them not only in words but in practice.'

The first meeting of the Communist Party was held in September 1942. Joshi and Adhikari wrote in the report submitted by them to their party that there were two groups in the Congress Working Committee. 'One, the anti-fascist group of Pandit, Azad etc., and other, the group of Gandhiji, Patel, Rajendra Prasad and others who wanted to bring British imperialism on its knees by creating a stand-still in centers of war production and in all means of communications. This group dominated in the Working Committee and so the paralysis of communications, road and bridge, traffic and production and other anarchical acts that took place in the disturbances were according to the ideas contemplated by the second group.' Thus the responsibility for the August disturbances was placed by the Communists on the Congress Working Committee directly and positively in September 1942, long before the publication of Tottenham's pamphlet on the subject.

The following extracts are taken from the resolution of the Central Committee of the Communist Party of India passed at the same meeting: 'The path along which the present national upsurge is directed is one of national suicide not of national salvation and freedom. It destroys the nation's indispensable defences, inevitably leading to conditions of civil commotion and disorder, anarchy, and even loot and arson. It makes the national movement the prey of bureaucratic provocation in the name of struggle. Finally, it creates a mass basis for fifth column activity in the name of patriotism.... It is leading the nation to a state of moral and political disruption and paralysis which, far from helping the people to get their freedom, can only clear the path of the invader.'

Such is the disastrous culmination of policies of not relying upon the strength of the people, that is, on national unity, and leaving the initiative in the hands of the imperialist bureaucracy.' Still more emphatic is the following:

'The central tasks to which the Party must address itself today are threefold.... (b) carry on persistent political explanations among workers, kisans, student militants and Congressmen, how the present struggle leads to destruction and anarchy and is suicidal.'

Again:

'Our first and foremost task must be to re-establish firmly the leadership of the Unions and the Party in the industrial centre and stamp out the efforts of provocateurs and of misguided patriots to drag the working class into the suicidal campaign of sabotage and anarchy. Among the kisans we must conduct a sharp political campaign against the saboteurs and promoters of anarchy.'

'Among the students you must carry on a political explanatory campaign. We must explain to them that to pursue the policy of permanent strikes, to go in for destruction and anarchy is not to play their part in the freedom movement.'

That the party faithfully carried out these decisions is borne out by a circular of the Government of India issued just a year later on 20th September 1943, from which the following extracts are given:

- (1) The party as a whole exercised a restraining effect on students and its influence over the student community, though not great has, such as it is, been used in the direction of preventing student's strikes and disorderly demonstrations.
- (2) Such influence as the Party has with labour appears generally to have been exercised in the direction of opposing or minimising the effect of strikes.
- (3) In the Party Congress held in Bombay from 23 May to 1 June 1943, there was an attack on the negative policy of the Congress and the resolution openly identified for the first time the Congress Socialist Party and Forward Bloc with the fifth column agents who are accused of taking advantage of the Congress resolution of August 1942 to lead the country to the brink of disaster.
- (4) Not only are the Communists almost the only Party which fought for victory.... they alone, however hesitantly, have criticised the Congress defeatism from a political point of view as opposed, for instance, to the fundamentally communal criticisms of Congress policy by the Muslim League etc. and have openly attacked as traitors the off-shoots of Congress, the Forward Bloc and the Congress Socialist Party.

There are numerous reports from Congress Committees alleging that the Communists had consistently condemned the August Resolution of the Congress and vigorously criticised it as being opposed to the country's true interests. They accused the Congress and Congressmen responsible for all disturbances which followed the August resolution. They had similarly thrown their full weight on the side of the Government advocating unconditional support of the war effort and dissuading all classes whether peasants, workers or students from countenancing anything that might hinder the war effort or actually embarrass the administration. There are also many reports made apparently after local investigation, showing that the Communists had been violently abusing and vilifying prominent Congressmen, and sometimes cooperating with the police in their activities against some Congressmen in the post 9 August period. Numerous cases of rowdism and hooliganism on the part of Communists in connection with meetings organised by or under the auspices of local Congress Committees and otherwise, especially in Andhra, are also mentioned in detail. Some of these cases are still the subject of inquiry and trial in some of the Madras courts. On the other hand there are charges made by Communists against Congressmen. We have not

gone into these charges and counter charges. It would be difficult to arrive at exact and definite findings without elaborate inquiries, and, in any event even if some local charge was proved, it will not follow that this was the result of the official policy of the Communist Party of India. There can, however, be no doubt that the Communists in the Congress, as well as those outside it, have ceaselessly opposed both in letter and spirit the Congress policy from early in 1942 onwards and especially since the resolution of 8 August, 1942.

There has been a prolonged correspondence between Gandhiji and Shri P.C. Joshi in regard to the activities of the Communists in the Congress and this has been recently published. At the suggestion of Mr Joshi, the matter was referred to Shri Bhulabhai Desai for opinion: 'You place your whole anti-Communist file,' wrote Joshi, 'before any patriot of eminence who inspires mutual trust, for example, Mrs Naidu, Rajaji or Bhulabhai. These are your old colleagues and known to us not to be prejudiced against us. Let me have a copy of the file and let them ask me for explanations on any point. I am sure after reading their report you will consign the anti-communist file to the flames.' Mr Desai tendered his opinion on 20 August last. In the course of his written opinion Mr Desai states that 'it is candidly admitted by Mr Joshi that they regarded the European war which has just now ended as the people's war for the reasons he had given.' With the propaganda that was being carried on day in and day out in the columns of the *People's War* it did not require much candour to make this admission. Mr Desai further says: 'It does appear that the views and attitude of the Communist Party after 9 August have been to carry on propaganda contrary to the views and policy of the Congress.' A copy of Shri Bhulabhai's note was sent to Mr Joshi. Mr Joshi while complaining that Shri Bhulabhai's decision was ex-parte did not seriously contest his findings. In fact in most other matters Shri Bhulabhai had virtually exonerated the Communists. His conclusion that the Communist Party had been carrying on propaganda contrary to the views and policy of the Congress ever since 9 August 1942, is of considerable significance. At a time when the country was passing through a reign of terror and the Congress was involved in a life and death struggle, no organisation allied with the Congress could without committing a serious outrage to the ordinary tenets of discipline indulge in such hostile activities.

Although we have had to consider largely the past, we might add that even in the present, the policy of the Communist Party of India, as represented by the writings in the *People's War* is very far removed from and often opposed to the Congress policy.

We are therefore of opinion that there is ample evidence on the record before us to establish a strong *prima facie* case against the members of the Communist Party in the Congress and they should be asked to justify their position and policy and to show cause why action should not be taken against them. We have not dealt with individuals in this report but we can only ask individuals to show cause. We suggest that such communists as are members of the AICC should be asked to do so, as presumably they have a leading position in their party. If any other important member of their party desires to put forward his explanation or justification, he should be allowed an opportunity to do so. We understand that it is the desire of the President, as well as the Working Committee, that full opportunities for explanation and justification be afforded to Communist members of the Congress. We entirely concur in this opinion. As a matter of fact, as we have mentioned above, there has already been a great deal of inquiry and explanation, and, at the instance of Shri P.C. Joshi, Secretary of the Communist Party of India, Shri Bhulabhai Desai has given his opinion.

In the event of the explanations given not being satisfactory, the question will arise as to what further steps should be taken. This is premature at this stage. But we should like to make it clear that the issue before us at present, is not to shut the door of the Congress completely to the Communists but to consider how far it is desirable to allow persons who are opposed to the basic

Congress policies to be elected to or remain on Congress executive bodies which are charged with carrying out those policies.

Bombay,
21 September 1945

Jawaharlal Nehru
Vallabhbhai Patel
Govind Ballabh Pant

5. Charge Sheet Against Members of the Communist Party, September 1945

P.C. Joshi—*Communist Reply to Congress Working Committee Charges*, People's Publishing House, Bombay (1945).

Mr S.G. Sardesai
Member AICC
Dear Sardesai,

Camp: Bombay

The Working Committee have had under consideration numerous complaints and charges against Communist members of the Congress. They referred the matter and all the relevant papers to a sub-committee which after careful consideration presented a report and framed certain charges, a copy of which I am enclosing. You are invited to reply to them in writing. Your reply should reach my office within two weeks of the receipt of this letter. Should you or any one on your behalf desire to have an interview in this connection, we shall try to meet your wishes in the matter.

Yours sincerely,
J.B. Kripalani
General Secretary

September 1945

Charge Sheet

That you being a member of the AICC and as such bound loyally to abide by the policy and programme laid down by the AICC from time to time, actually opposed such policy and programme from June 1942 onwards and more especially, actively resisted the policy and programme laid down by the AICC in August 1942.

That you carried on incessant propaganda through some papers, pamphlets and books, meetings, and otherwise in favour of the war efforts calling the war as it affected the people of India a 'People's War', when the Congress had advised people not to co-operate in war activities till the freedom of India has been recognised and a national government established.

That you pursued this policy in accordance with the declared policy of your party, the Communist Party of India, which was opposing the policy and programme of the Indian National Congress;

That you made grave charges against individual Congressmen and groups within the Congress and the Working Committee of the AICC itself;

And thereby rendered yourself liable to disciplinary action under the rules of the Congress.

You are, therefore, hereby called upon to show cause why such action should not be taken against you.

6. Correspondence Between G.B. Pant and S.G. Sardesai on Charges Framed by the Congress Sub-Committee

Note by G.B. Pant after discussion with Sardesai, 24 September 1945.

AICC Paper File No. G-23/1947 NMML.

I gave a copy of our report to Sardesai and discussed various points with him for about two hours. He seemed to lay greater stress on what had been ignored than on what had been mentioned in the report. It did not give a correct picture of their activities and had not taken the positive aspect of their programme into account according to his view. I also referred him to the extracts from *People's War* published in Tendulkar's pamphlet. He thought that the Communists had been singled out for disciplinary action although CSP & Forward Block had also acted against the declared policy of the Congress. He suggested a week's further extension. I advised him to make an earnest endeavour to keep to this time limit prescribed but if he really found it difficult to prepare his cases within a fortnight the matter would be considered later. He seemed to be hurt by some of the remarks made at the AICC meeting but these had no bearing on the consideration of the charges framed against him and his colleagues.

G.B. Pant

24 September 1945

Sardesai to Pant, 28 September 1945

28 September 1945

My dear Pantji,

This is in continuation of my talk with you in Bombay on the 24th instant when I requested you to give me one more week to prepare my reply to the charge sheet given by the Sub-Committee appointed by the Working Committee to the Communist Members of the AICC.

After my talk with you and after going through the Sub-Committee's report more carefully I find it even more necessary to ask you to extend the time limit by a week. The Sub-Committee's report deals not merely with our policy after the August crisis but attempts to evaluate the policy of our Party from its very inception. Moreover, as I said to you we are also trying to understand what our position in elective positions in the Congress comes to after the judgment passed on us by leading members of the Working Committee at the AICC Session.

I must once again press you as strongly as I can to make available to us the entire evidence against us placed before the Sub-Committee. The question is not whether the Committee accepted the evidence or not. The question is that if it is false, as we claim it to be, it must be publicly refuted not merely in justice to our Party but for the preservation of proper standards of public life and for preventing the policies of political parties being prejudiced in eyes of the public because of slander-mongers whoever they be. I will repeat what I said in my interview that the Committee would be wrong in imagining that because it does not place the evidence before us, the interested parties would not circulate it among the public in various ways. A number of slanderous anti-Communist pamphlets were circulated among AICC members during the Bombay Session and even probably their contents have been placed before the Committee as evidence against us. Whenever we come across such slanders we reply to them in our Party papers, but we are naturally keen on holding up every such piece of 'evidence' before the people for what it is worth. We have every

right to expect the Committee to help us in the work by placing the evidence before us, and in fact, defending us in every case in which we prove to it that we have been falsely slandered.

With regards,

Yours respectfully,
S.G. Sardesai

Copy forwarded to
Sjt J.B. Kripalani

Pant to Sardesai, 5 October 1945

Lucknow
5 October 1945

Dear Sardesai

I have your letter of the 28 September. If you wish to have an extra week for your reply, I am agreeable to this and I am sure my colleagues on the Sub-Committee will also agree.

As for the evidence, we had in our files, files of the '*People's War*' and of the Communist publications, reports from Congress Committee, and a number of reports and letters of cases which are proceeding in the Madras Courts. Our Sub-Committee based its consideration of the matter, as they have stated in their report, on documentary evidence contained almost entirely in Communist publications which dealt with the larger policy of the Communist Party. The other reports and letters were not considered by us in this connection. These papers will remain in our file and are not going to be given any publicity. There appears to be no valid reason why these papers should be sent to you for publication, reply or otherwise. The point at issue is how far the policy and activities of the Communist Party during the last five or six years, and more specially during the last three years and a half have been in conflict with the policies, programme and activities of the Congress. It is on this that we want your reply.

Yours sincerely,
G.B. Pant

Sri S.G. Sardesai
Bombay

Sardesai to G.B. Pant, 13 October 1945

13 October 1945

My dear Pantji,

Many thanks for your letter of the 5th instant and for agreeing to extend the time given to us for our reply. As I had anticipated in my last letter to you, however, our experience of the last meeting of the AICC led us to the conclusion that the reply would have to be of a very comprehensive nature and could take nothing for granted. Due to this reason, it has not been possible for me to get it ready even in the time limit agreed to by you. But I would definitely see to it, that the document is ready and sent to you by the end of this month.

I would like to explain more specially why the reply has been delayed. Almost within a week after his release from jail Pandit Jawaharlal attacked us in a press interview and said that in the 9th August struggle we were 'on the other side.' A number of other Working Committee members also made statements amounting to a grave condemnation of the policy of our Party since the August crisis.

But at that time we put down such statements to lack of knowledge on the part of the Working Committee members regarding what had happened in the country during the period of their detention and what we had been preaching and practicing outside. Unfortunately the speeches and happenings at the AICC confirmed our gravest apprehensions and showed us that the issue was much deeper than mere ignorance about facts and events.

Not merely immediately after their release, but even now Congress leaders continue to speak as though nothing else happened in the country on their arrest excepting a spontaneous uprising of the people against bureaucratic repression. They refuse to take cognizance of the fact that the country was then faced with the dire threat of Japanese invasion and internal chaos and that Congress resolutions prior to their arrest and clearly stated that Congress would do nothing in the circumstances that could jeopardise our national defence. They refuse to open their eyes to the fact that certain elements in the Congress followed a calculated and conscious policy of directing the popular uprising towards the path of sabotaging the means of communication and transport in the country and of coordinating this activity with Japanese aid for the purpose, as they claimed, of securing Indian freedom. In fact, though prior to August 1942, the Congress had clearly repudiated this path as being unpatriotic and against national interest, the Working Committee since the Bombay AICC has welcomed those who followed it back into the Congress fold and even glorified them on the basis of their motives while treating their policy as of minor consequence.

If, on the one hand, known pro-fascist elements and their policy and deeds have been treated in this manner, in the case of our Party, not only has there been a consistent refusal to state our policy and see our practice in an unbiased way, but even our motives and honesty have been impugned. Our campaign for the release of the national leaders and Congressmen and for ending the political deadlock and our defence of the Congress against the slander that it was a pro-fascist organisation have been treated as if they were but a camouflage for supporting the war efforts of the Government. The repression that the Party has suffered at the hands of the Government is not even looked into much less attempted to be understood or explained. Responsible members of the Working Committee have followed this course even while a Sub-Committee appointed by the Working Committee itself has been examining our policy and work. I cannot refrain from saying that even the Sub-Committee's report betrays obvious bias against us and the manner in which it quotes our documents shows how little it has tried to study them as a whole, or for that matter to go to our basic Party documents of the war period to understand our view point and policy.

I am not mentioning these things as a complaint. My point is that if the attitude of the Working Committee to the reality of the Indian situation during the last three years, to the glaring facts and events of our political and economic life, and to the policies pursued by us and certain other parties has come to this that it does not or will not see most undeniable facts, and indeed, goes to the length of forgetting its own past positions and declarations, then we are face to face with a situation in which every one of these issues has to be dealt with by us in such a thorough-going way that we could break through the wall of the most hardened prejudices and blindness. Moreover, since in their individual capacity Working Committee members have already placed the issue before the public from the platform and through the press, our reply must also be such as will make sense to common people and not merely to the Working Committee.

Another and very important reason for the delay has been that we have been very busy since the AICC in working out our policy in the new situation created by the AICC decisions and the impending elections. The urgency and heavy nature of the new tasks also prevents us from preparing the reply as fast as we would otherwise have done.

However, we have meanwhile taken a decision which solves the problem of Congress-Communist relations for all Congress Committees for the immediate future. We have instructed

the members of our Party excepting those who were in the AICC to resign their primary membership of the Congress. No bitterness or friction would thus arise in any Congress Committee for the present on the issue of the disciplinary behaviour of Communists as Congress members. The only issue that remains is our answerability to the Working Committee for our past policy and actions. We, the AICC members of the Party, would discharge this obligation through our reply to the charge sheet given to us by your Sub-Committee.

I am enclosing with this letter the statement issued by Comrade P.C. Joshi, our General Secretary, explaining why excepting the AICC members, other members of the Communist Party are resigning from the Congress. In my opinion, this statement should also serve as an interim reply to the charge-sheet given by us and enable the Sub-Committee to give us the further time necessary to prepare a full reply.

We very much regret that despite my repeated requests the Sub-Committee should not place at our disposal all the so-called evidence tendered to it against us. You have not replied to my point that the issue is not whether the Sub-Committee has accepted all the accusations or not. The issue is that it is neither practicable nor right to separate the politics of the party from its moral standards and we are as keen to meet the slanders against the morals of our Party as the political attacks on its policy. You are very well aware that slanders against our moral standards have been extensively used by our opponents during the last three years as means for prejudicing popular opinion against our policy. If you want a very recent illustration I would refer you to a report regarding our comrades in Fatehgarh jail which has appeared in the *Abhyudaya* of Allahabad dated 8 October. It is obviously not fair to us not to give us the fullest opportunity for exposing such mean attacks. In fact the Sub-Committee itself would be failing to discharge its obligations fully to the issue referred to it if it fails to deal with this aspect of it. It appears the Sub-Committee has made up its mind on the subject, but it is not possible for us to give up our insistence that it should still revise what is obviously a wrong and unjust decision.

With best regards,

Yours sincerely,
S.G. Sardesai

7. Communist to Quit Congress

P.C. Joshi's statement, 5 October 1945.

Indian Annual Register, 1945, Vol. II, pp. 119–21.

As a protest against the 'new attitude taken by the Congress towards the Communists', the Communist Party Headquarters in India called upon all Communists—with the exception of the Communist members of the AICC to resign from the Congress. A statement issued in this connection from Bombay on the 5 October 1945, by the General Secretary of the Communist Party, Mr P.C. Joshi, explains that the Communist members of the AICC have been asked not to resign in order that they may remain to answer the charges made against them by the Congress Working Committee 'as the decision of the Congress will concern not only the past but the future of our common national movement'.

It may be recalled that Pandit Jawaharlal Nehru stated in Bombay recently that a sub-committee appointed by the Working Committee had presented the Communist members of the AICC with the charge sheet that they had acted against the Congress's declared policy and that a time of 15 days had been given for a rejoinder as to why disciplinary action should not be taken against the Communist members concerned. Mr P.C. Joshi, in his statement, says:

'We, Indian Communists had great hopes that the leaders of the Congress, our foremost patriotic organisation, would rally the whole country behind a democratic plan for realizing Indian freedom in alliance with progressive forces all over the world. We made their release the central plank of our agitation for the last three years, but the Congress leadership after release is not doing serious thinking but demonstrating sectarian arrogance. Instead of a plan to win Indian freedom and build Indian democracy, they have in the last AICC meeting committed the organisation to a course, which will only divide and disrupt the freedom forces themselves.

'Their declaration of fight against the Muslim League will only unleash forces of civil war, not force the future Indian Union. To glorify the strength of the Congress and deny that of the League is to be blind. To demand self-determination from the British and to deny it to a section of our own countrymen is plain injustice. We do not think it is good patriotism to seek British intervention in our internal affairs, for it will lead not to Indian freedom, but to a British-planned imposed constitution.

Criticism of Congress Leadership

The Congress leadership is also raising its arms against our young Party, which consistently defended it against imperialist slander at home and abroad. While from inside jail they repudiated the August 'struggle', on release they denounced us for not joining it. They refuse to frankly study the last three years and face up to their own self-contradictory lead of August 1942, which led not to National Government but to national humiliation. They want to make our party the scapegoat. This blind and prejudiced attitude towards us had caused dismay among friends of India abroad. Openly Fascist, reactionary and authoritarian trends are raising their heads inside Congress and under cover of anti-communism carry on factional struggles for control of the Congress machine.

By seeking to gag our Party by depriving us of elective posts while retaining us as ordinary members, the Congress leadership is aping the reactionary bosses of the British Labour Party, who issued the 'Black Circular', which prevented the communists in the British Trade Union Congress from holding any elective post. It thus, denies democratic rights to a section of the national movement itself.

The Congress leaders are also directly or indirectly supporting the setting up of rival trade unions, kisans-sabhas, etc., through elements who are open agents of the big profiteers or discredited kisan and labour leaders want to stage a come-back with Congress aid.

We, Indian Communists consider the anti-League, anti-Communist policy of the Congress High Command as direct encouragement to the forces of civil war, which will lead to the country's ruin not to its freedom. We consider it our foremost duty to demarcate ourselves sharply from such a policy.

Decision to Resign from Congress

We are, therefore, directing all our Party members to resign from the Congress except the AICC members who will remain to answer the 'charges' and face the verdict of the Working Committee as its decision will concern not only the past but the future of our common national movement. In two weeks all documents will be available to the public. We are confident that all honest Congressmen will see that this, in the circumstances, is the best course to both the Congress and our Party. We will be able to put our policy before Congressmen; the Congress itself will find its feet more naturally.

By the conscious adoption of such a policy, the Congress leadership has shattered the dream of all progressives, of seeing the Congress develop as the builder of a united national front of our people. We are convinced that the only path to our national Independence lies through a national

united front of all popular forces. We will ceaselessly work to build a Congress-League-Communist joint front for Indian freedom.

8. Expulsion of Communist Members from AICC, 11 December 1945

J.B. Kripalani's letter to all Communist members of the AICC, decision of the CWC meeting on 11 December 1945 with a copy of Sub-Committee's report.

AICC Papers, File No. G.23/1181, NMML.

Dear Sir,

I am herewith communicating to you the decision of the Working Committee taking disciplinary action against you as a member of the Communist Party of India. You will see that not only has your name been removed from the AICC but also from all elective committees in the Congress.

I am also attaching for your information a copy of the report of the Sub-Committee¹ appointed to investigate in your cases and report to the Working Committee thereon.

Yours sincerely,
General Secretary

To Shris:

1. S.G. Sardesai, Maharashtra
2. V.G. Bhagat, Maharashtra
3. V.D. Chitale, Maharashtra
4. K.M. Ashraf, UP
5. S. Sajjad Zaheer, UP
6. Sohan Singh Josh, Punjab
7. Karyanand Sharma, Bihar
8. R.D. Bharadwaj, UP

Communist Party

The report of the Sub-Committee appointed to consider the charges brought against the Communist members of the AICC was considered and their recommendations were approved. Resolved that disciplinary action be taken against Messrs S.G. Sardesai, V.G. Bhagat, V.D. Chittale, K.M. Ashraf, S. Sajjad Zaheer, Sohan Singh Josh, Karyanand Sharma, R.D. Bharadwaj and their names be removed from membership of the AICC and from all other elective Congress Committees of which they may be members. Further that Provincial Congress Committees should be directed to take similar action for the removal from all Congress elective offices of members of the Communist Party of India.

Calcutta,
11 December 1945

¹ Kindly see document titled 'Charge Sheet Against Communist Members'.



9. Communist Reply to Expulsion Order

Statement issued by P.C. Joshi, 14 December 1945.

P.C. Joshi, *Communist Reply to Congress Working Committee's Charges*, Bombay: People's Publishing House, 1945.

Anyone who reads the Working Committee resolution and our answer to their charges will see for himself that the judges do not seem to have even read our answer. They have closed their eyes and ears to the mass of documentary evidence marshalled by us to disprove every single charge made against us.

We have honestly admitted the authenticity of all our Party documents but we have proved to the hilt that they have misquoted to misuse our quotations to suit their charges and not themselves endeavoured to get at the truth.

They are such judges that, though we asked for the evidence against us, of which they have made great use in their final resolution, they refused to give it to us.

The less said about the language the Congress leaders have used the better. They have gone to the extent of using the same language which imperialist Prosecutors have always used against our defence in the numerous conspiracy and sedition trials we have faced, saying that our defence was meant for 'propaganda'. We have shown all the respect that is due to the leadership of a great national organisation. But we have defended truth as we know it with the tenacity that the descendants of Ram Mohan and Tagore, of Sir Syed and Iqbal, must show if they are at all to be true to their own conscience and the common cause of freedom. It is not we who suffer from 'Self-righteous arrogance' but it is the Congress leadership that is demonstrating blind sectarian pride. We suffer from no sense of guilt, we seek no favours. Therefore we use plain and blunt words.

We are pained at the disruptive policy that the Congress leadership is following, not because it hurts us; we can look after ourselves; we have not built up either our Party or the working class and Kisan movements through their favours, but with our own sweat and through our own sacrifices. But we are pained because their policy hurts the common cause of freedom, sets brother against brother and postpones the day of a united final struggle against British Imperialism.

In our answer to the Congress leadership we have shown that it is not we but they who went against the fundamental policy of the Congress by adopting double-faced strategy of diplomatic bargaining with the British rulers and demagogic speech-making with the people. It only means swinging to and from a policy of negotiating with the New Delhi Sahibs to one of talking of struggle to the people.

Their struggle-demagogy after the Simla shame and then our sermons on non-violence after the Calcutta firing close upon another talk with Lord Wavell is only the latest example of the path the Congress leadership has been following ever since 1920. I do not believe that such double-faced duplicity can be the fundamental policy of our freedom movement. It is a bad day for a great patriotic organisation when its leadership begins to think that it is not only the organisation but also the entire people and the sole monopolist of all the patriotism that exists on our great land.

We have stated our agreement and differences about the past in our answer. The future alone will show who will undermine the prestige of the Congress; the traditional allies of the British Imperialists, the profiteering black-marketers and the model parasitical landlords whom the Congress leadership is openly embracing and welcoming into the Congress; or we Communist who are being hounded out, and who have built up whatever of the organised working-class and peasant movement exist in our country.

They damned our Party as a traitor Party long before they looked into the facts. We had to resign from the Congress to be able to explain and defend our policy freely and work earnestly for Congress-Communist unity.

Their policy is doomed because it is based on pride and prejudice. We shall work our hardest and win because ours is the path of brotherhood and the struggle for a truly patriotic policy for the entire national movement with all its sectors, territorial, economic and cultural, for the final bid for power from British Imperialism.

10. Communist Reply to Congress Charges

In P.C. Joshi edited *Communist Reply to Congress Working Committee's Charges*, the Communist Party of India replied to the charges with a detailed note on the policy and activities of the Party.

P.C. Joshi (ed.), *Communist Reply to Congress Working Committee's Charges*, Bombay: People's Publishing House, 1945.

We assure you that your attitude towards our policy and Party made our Party leadership carry on the most progressive heart-searching and the most serious thinking of which we were capable. But the more of the different facets of your anti-Communism became visible, the more we became convinced that we are right and you are wrong.

You call us a Party of traitors. Coming from you, the leadership of the oldest organisation of our people, this accusation hurts so hard that we have to close our eyes and bring back to ourselves the image of our Party as it is in different provinces.

Revolutionaries of All Ages

We think first of the Land of Five Rivers where the founders of the Ghadr Party were born and work even today under the banner of our Party. They were sons of poor peasants themselves and among the earliest of Indian revolutionary groups. They have spent more years in jails than most of you have been in the Congress.

We think of the Babbar Akalis of the 1920s whose tales of epic heroism and selfless sacrifice are the pride of every Sikh peasant. They too are all today under the banner of our Party.

We think of the present leaders of the Party in the Punjab, Sardar Teja Singh Swatantra and Sardar Sohan Singh Josh whom the Akalis of the twenties considered among the most promising of their young leaders.

We think of the immortal Bhagat Singh and know that his four living comrades serving their life terms in jails have all joined the Party.

The memory of Bhagat Singh takes our mind to his doubles in Bengal. We recall that the vast majority of the young revolutionaries thrown up in the widespread terrorist upsurge of the thirties, all came to accept Communism while yet in jail. We recall the most common remark inside all the political circles of Bengal, that 'the best of the terrorist boys of old have gone over to the Communist Party, we have no workers'. We think of our Bengali comrades yet behind the bars, some hopeless names throughout the province, all in their own districts, of them who together have spent 378 years in confinement. They are from every single terrorist case of the period. (The full list is enclosed as an appendix.)

Recently 29 of these pre-Reform prisoners were released, 28 of them after serving a total of 290 years inside prison, and they reported for immediate duty at our Provincial Party Headquarters.

We think of Kerala where the peasants lovingly call our Party, 'the Party of our Kayyur boys' (4 young peasant comrades including Hindu and Muslim, touchable and untouchable) hanged in 1943 and immortalized in every peasant home through the songs that the peasant youth sing of their martyrdom, whenever they march to a kisan or political rally.

We think of K.P.R. Gopalan and his 16 young lieutenants serving life terms for Kisan Sabha activity. We think of the fathers, mothers, brothers, sisters and wives of these comrades who are either inside the Party or regard the Party as their own and help it in every way.

We think of the three ex-Secretaries of the Kerala Provincial Congress Committee who will contest the Elections as Communist candidates.

We think of Sardar Chandroth Kunhiraman Nair, the initiator and organizer of the 3,000-strong Congress Volunteer Camps of 1934, who is now a leader and organizer inside our Party.

We come to Bombay last where our opponents talk the loudest; where the Party has organised and led four industrial general strikes in 1928, 1929, 1934 and 1940 and three political strike actions (Anti-Simon Commission in 1927, Anti-Black Bill in 1938 and Anti-War in 1940), where every working class street has its own tales of heroism against the police and owners' goondas, where several workers were martyred in fighting battles, including Parshuram Jadhav, Babu Maruti (Marathi), Papa Miss (Muslim), Bahiru Chavan and Waghmare (Untouchable).

It is a great and proud record, of sacrifices untold, heroism unparalleled, of martyrs who mounted the gallows with 'Communist Party Zindabad' on their lips, battle-scarred warriors of all ages and classes; from the snow-white bearded Babas of the Punjab to the shiny black peasant boys of Kerala; from the youth that was Ambika Chakravarty as a Chittagong Armoury Raider, to the Ambikada of our comrades, who has spent 26 out of his 55 years inside jail and says: 'I have after all found the Party of my dream'; from Parashuram Jadhav who was shot dead by a police bullet in the general strike while as a youngster, to Babu Maruti's mother who when in Bombay on a visit from her village home in Poona District came to a Bombay worker's rally to once more pledge in the name of her martyred son her devotion to the Red Flag and to repudiate the final slanders against our party.

Names after names roll on, stories after stories come to the mind. And despite all patience that such names and stories suitably give, we cannot but say that never before has a more shameless lie been uttered in our country than the lie that our Party is a traitor party. Some of the oldest and the bravest names of Indian revolutionaries adorn its register of membership, its total membership is the living embodiment of every phase of the revolutionary movement of our country.

Treachery?—This!

Even since its foundation in the early twenties, our Party has been the most consistent champion of the demand that the aim of the Indian national movement must be declared to be complete independence. Most of you were in the Congress leadership even then and in annual session after session you were the most consistent champions of the line that Swaraj cannot be and need not be defined, that its meaning was written in every Indian heart.

Swaraj was supposed to be best left undefined until it was realised, like the realisation of God within. Metaphysical word-spinning used to be done to escape clear and unequivocal formulation of the Congress aim itself.

The calculation of the leadership then was: let us see what the British offer: why make a tall demand and never even reach the stage of bargaining?

When the British sent out an All-White Mission (Simon) and thus when there was no room left for nursing illusions about the plans of the British, only then the Congress leadership allowed the

independence resolution to be passed. And even this elementary turn took four years (1927–30) of swaying to and fro.

We were the first to preach the need for the adoption of the democratic demands of the toiling masses as the Charter of Fundamental Rights of the Indian people, to give them, those needed freedom most, a clear idea of what Indian freedom will mean for their own life, better in contrast to their life under British rule.

We used to be sneered at for importing foreign ideas from books on Socialism, for being young lads who pretended to know better than the Mahatma, the leader and father, of the Indian national movement. We used to be told self-confidently that we should go away to Russia if we seriously wanted to put into practice the ideas we preached, and were wasting our breath inside the Congress if we had any hope of the Congress adopting such demands and thus throwing away the zamindars and capitalists into British arms. Most of you were the Congress leadership even then and the opposition of many of you was mainly from two angles. First, ideological—that they were new fangled, foreign and anti-national ideas. Secondly, practical—that they would strengthen the British and weaken the Congress in the battle for freedom.

When we are called anti-national as we are even today, it is worthwhile to recall that period and who used to stand for what at that time.

It needed the experience of the failure of the first movement of the thirties (1930) to come to the conclusion that the formulation of the Fundamental rights was necessary to draw the toiling masses into the national struggle; minus their participation, the British could always crush it through superior force and the movement itself petered out after the arrest of Congress workers.

In the meanwhile, immediately after our birth as a Party, we went straight to the working class and demonstrated that our 'foreign' ideas worked on our native soil and among our own people. We founded the biggest and most militant Trade Union that Asia had yet seen and organised one of the most widespread and well-organised strike waves in Indian history (1926–30); we generated a living Indian working-class movement under the Red flag which the Imperialist Government tried to nip in the bud through the Meerut Conspiracy Trial (1929).

Among the disillusioned Congress youth of the thirties we carried on the most intensive study circle propaganda on the real nature of Imperialism, the need for a genuine anti-Imperialist programme for the national movement based on the democratic mass movement of the workers and peasants. Through the example of our strike actions, we had already demonstrated that large scale and long-drawn mass actions could be fought even by unarmed people, without the fetish of non-violence and that police repression could be defeated by the vigilance and the action of the militant worker youth organised as Strike Volunteers.

Ahead of All

The actual example of the failure of the 1930 national movement and the living example of the birth of the working-class movement was there to make the Congress workers give an attentive ear to our ideas, plan of action.

A general Left pro-Socialist ferment began to grow inside the Congress against which Gandhiji threatened to go out of the Congress in 1934, but it grew and grew in volume and the Congress Left organised themselves as the Congress Socialist Party and adopted a fraternal attitude towards our Party with the tacit understanding that they knew better how to approach the Congress mind but we had more practical experiences of organising the masses and their actions and knew more of 'ideology', that is fundamental policies and their correct analysis and formulation.

This new trend ultimately reflected itself in the new orientation of policy of the Congress itself under the leadership of Pandit Jawaharlal Nehru from the Faizpur Congress onwards. Pandit

Nehru talked of a Constituent Assembly based on adult franchise, of a full-fledged democratic economy, of fraternal relationships with all anti-Imperialist organisations and of the Congress becoming the United National Front against British Imperialism in alliance with the forces of world democracy and in friendliness with the USSR in the West and China in the East.

The old leadership yielded because these new ideas seemed to go down among the people better and in fact led the Congress to its unparalleled electoral victory in 1936 general elections.

We were 'anti-national' in the sense that we were the sharpest critics of the compromising attitude (remnants of old liberalism) and of the self-destructive tactics of leaders asking workers going to jail to win 'Swaraj' instead of organising the masses and educating them for mass action.

We were 'more national' in the sense that ever since our birth, we were one step ahead of the Congress leadership in formulation of the national programme and working out methods of effective action.

We began pleading earlier for what the Congress itself later adopted as the basic programme of Indian freedom. We begun doing first what Congress workers later thought must be done by Congressmen themselves—the organisation of the toiling masses and establishing their close relationship with the Congress.

We preached and practiced first what rose like a force from within the Congress itself within a decade and it became a common national heritage.

No Congressman today will argue that stating Swaraj to mean complete independence was unnecessary, that acceptance and popularization of Fundamental Rights weakens the Congress, that workers and peasants should not be organised in their separate organisations. If he did, he would be considered a viewer from some historical museum, and that too not Indian!

Who Failed, Who Succeeded?

Yet it was the Congress leadership that said all this to us in the years when we were in our infancy as Communists and as a party; the tragedy is that today after we have worked our way to maturity by ceaselessly preaching and tirelessly carrying out in practice the very ideas at which they sneered, this very same leadership now turns round and tells us that we have been alien, anti-national and anti-Congress all through.

But it is during the war years particularly that we are alleged to have actually 'betrayed' the country and stabbed the Congress in the back, through our unreal internationalism and through our lack of true nationalism. When our political policy was denounced by picturing it out of focus and by putting wrong ideas underneath, it becomes necessary to recreate the back-ground, to get the object in focus, to make the correct picture and finally to ask: What title must be put under whom?

Those whose nationalism did not boil over into the choicest curses when Gandhiji's heart bled for the Westminster Abbey and he was prepared to postpone the struggle for national independence for the sake of Britain, later turned on us and when our heart bled for our own bombed cities and our love for our soil began asserting itself, we were told that we had no heart at all except for the Soviet Union.

Those who first proposed the tactic of *no mass struggle while Britain was in danger*, later proposed and threatened to implement the tactic of *mass struggle when India was in danger*. They failed to realise the national aim either way. Yet, instead of explaining their own national failure, they now claim the monopoly of patriotism and charge us in turn with national betrayal.

To charge one's fellow patriots of treachery in order to cover one's own failure as the leader of our people is not very good nationalism.

We are not ashamed but very proud of our role during the war period in the defence of our own country, in helping to save it from falling into Jap hands.

If the Jap plans for the invasion and subjugation of our country did not succeed, the causes are these:

- (1) First and foremost comes the heroic defence of Stalingrad and the annihilation of Hitler's armies at the hands of the Red Army which changed the whole course of the war and dealt a decisive blow to the world plan of the Fascist aggressors.

It made India safe from the West and put the Jap aggressor on the defensive in the East.

- (2) The strength of the Allied armies at the front so that despite all obstacles, they could put up a better and better defence the more time they got to get reinforcements while the Japs lost time, having to mass more forces and supplies to undertake the invasion of India single-handed, we aided by the attack from the West by their German allies.
- (3) The role of our Party in keeping the whole working class off sabotage and at the task of keeping up production for the Allied armies at the front and the railway lines running.

If during the years 1942–44, there was any conscious Indian contribution to the defeat of Japan and the defence of India, we would proudly claim that it was the continued production by the Indian working class under the leadership of our Party.

We never said nor did we ever believe that we could bring immediate Indian freedom on our own; that was clearly the task of all parties, as we said so many times. But we did say that we would do all in our power to help the defence of the country. Every non-Communist group forecast that we would be swept off our feet and that we were only committing suicide ourselves as a Party—but life itself has shown us alive and growing, their forecast all wrong.

We did what we had decided to do as our elementary patriotic duty to our country in danger and did it so well that the very elements who were certain that we were only liquidating ourselves as a political force, began charging us with betrayal of the national struggle. Human wit could make no better somersaults.

Ours was the only Indian political party that worked hardest to keep its head on its shoulders and to do the job in hand, that suffered no illusions. Ours is the satisfaction of knowing done our duty as well as we could and against all odds.

Self-determination—Real Issue

The real issue that divides us sharply today is not 'People's War' but our ceaseless advocacy of self-determination. In fact, it is a common saying among you that the Communists could be secured for their slogan of 'People's War' which is now all out, after all; but they now have taken to supporting Pakistan; how can that be forgotten? If we showed, the argument goes on, my signs of penitence about our past and there was any hope of our being reasonable in the present, and of our supporting the Congress in the elections against the League it would have been another question but the Communists are always known to be impossible, just fanatics, nothing can be done with them.

Such is the argument that goes on among you. And it has reported through in your report too.

In other words, our unholy betrayal of the Congress in the past could be excused if we today lined up faithfully in the only war of the Congress against the League.

We did not let our freedom sentiment within us lead us to doing the job of the Japs for them by going in for sabotage activities and imagine it was really fighting the British.

Similarly we do not let the same freedom sentiment within us lead us to fighting the Muslims, denying their just right and imagine that we are destroying the reactionary League and clearing the ground for fighting the British.

Our freedom sentiment, guided by the freedom principles as taught to us under our Party, never goes insane, but is transformed into the freedom programme for the period by our Party.

Since you, the Congress leadership, yet deal only with the freedom sentiment of the people in the evolution of your tactics and never go deeper, since you have always resisted new ideas that have come within the Congress to give a broader and deeper basis to the then existing aim and programme of the Congress, so also you resist our advocacy of self-determination.

In 1942 you only went by the freedom sentiment of the people and when we forecast the certain failure of your lead, you thought that we were being insolent and only coming in the way of fighting the British and you were certain that the freedom sentiment of the people would sweep us away.

You were proved wrong and we were proved right in every single calculation and in the final outcome as well.

You now exploit the freedom sentiment of the people by misrepresenting our policy of that period as also our daily protest.

The task then was to win freedom by the tactics employees; you were certain of victory and we forecast certain failure, yet today it is you who turn on us and ask us to explain ourselves.

You think that the use against us of the words 'Freedom' and 'betrayal' will finish us, for you argue: Was not our only capital against you the word 'revolution', which you can now turn against us?

This is the level to which you have brought political controversy in our country.

While we Communists are to be dealt with by freedom and revolution being turned against us, the League is also threatened with what you think to be its only weapon, its only capital, being turned against it; this time not the 'freedom' and 'revolution'—but Islam and Religion!

Learned Ulema are now denouncing Pakistan as un-Islamic because Mr Jinnah has already said that it will be secular not democratic. English-knowing Muslim nationalists do research work into the marriage certificates of the League leaders and the records of the Assembly debates to find out how many times the League has advocated or supported progressive legislation instead of the dictates of medieval Islamic Jurisprudence. The local Moulvis are mobilised to count the names and make the list of the local League leaders who keep no beards and the number of times they really visit the mosque for prayers.

Apply Freedom Principles to All

Such have never been and never will be our principles nor our ways. Those that want others to be their loyal stooges and not thinking men nor fighting warriors damn others for being the stooges of this or that. We were supported to be British stooges in 1942, we are considered League stooges in 1945. But we could not be attacked as League stooges in the estimation of the Congress masses, there is the sentiment for Hindu-Muslim unity and to plead for Congress-League unity cannot be very easily shown to be anti-national.

But the case for being British agents is much simpler. It is very simple indeed to argue that these ceaseless talkers about revolution did not join the Revolution when it actually took place! This, you all think, has just to be uttered and the people who are boiling over against the British will see us as being really an anti-national treacherous element.

The frustrated freedom sentiment of freedom-loving Congress masses is thus sought to be turned against our Party and our policy.

This and no other is the only interpretation of the way in which you all of the Congress leadership are denouncing our policy in your speeches. We have heard them with our own ears and we read their most detailed reports in the Congress dailies of the localities you visit.

We, however, treat the freedom-sentiment of our people much more sacredly and argue much more seriously, always taking for granted that our political critics and even opponents nurse the same sentiment within and that the issue to be argued out and struggled for is one of programme or of tactics. Our constant endeavour is to transform the freedom sentiment of our people into a programme based on freedom principles and evolve tactics that will be the most effective methods of achieving freedom in the period concerned.

It is on the plane of freedom principles that we advocate self-determination and demand its inclusion in the basic programme of the Indian national movement, for its next phase of final struggle for victory against British rule.

How can self-determination be opposed at all on the plane of freedom principles? Self-determination is the very principle behind the national demand of complete independence against British Imperialism.

How can we refuse to apply it among ourselves? We expect the British people to support our freedom demand against their own ruling class. How then can one justify one's opposition to the demand made by sections of one's own countrymen that we should apply it among ourselves first!

If the stage has come to tell the British to 'Quit India' then the stage has also come to define the shape of that India for which we seek freedom. Against the British it is an idea among ourselves it has to be made a reality or there will be misunderstanding, quarrels and all, as is but inevitable. This is just the plain issue of today.

Against the British we are all one and that is why no party could retain or win new popularity unless it adopted "complete independence" as its aim whether it was there at the time of its own birth or not.

But among ourselves we have differences and they arise from and live in our history, in our economy, in our culture, all the aspects of life that go to make a people. That is why when one is deeply moved by patriotic sentiments and closes his eyes it is not the image of India as a whole that comes to the mind but his own home in his own homeland and his own mother-tongue that comes most naturally to his tongue. Just because these differences are there, deep and vital, and freedom means different things to different people, so also different parties arise.

Against the British all our political parties swear enmity.

But among themselves they do not swear fraternity!

Define the Rights of All

More, the nearer comes freedom, the more the differences among ourselves multiply. It is but natural that the minor parties should ask the major: 'When the freedom of India has been won, what will happen to our won freedom, to those for whom we speak'? It is then not enough to define Indian freedom as against British domination; its shape and form as it will operate among ourselves must also be defined. To refuse to do this is patent injustice and cannot but lead to calamitous results, as it is happening today, when each attacks the other and goes down to his worst in order somehow or other to defeat the other party.

The first stage in the awakening of our people was the struggle for the definition of the goal, against British Imperialism and for complete independence.

The second stage in the awakening of our people was the battle for the definition of the democratic rights of the people, irrespective of class and other differences, for mass mobilisation

against British Imperialism and for the destruction of the mass influence of the allies of our British rulers—Indian vested interests.

The third stage has come today, the stage for the application of the principle of self-determination within the framework of a Free India, where all the people will enjoy democratic rights. The demand is being pressed home by the Muslim minority that fears domination by the Hindu majority as the weak fears the strong.

It cannot be opposed on principle. What is wrong with the demand that the freedom of India to be real must be the freedom of all and guarantee against domination by any?

Unless the problem of self-determination is faced and solved by applying and evolving just principles, just boundaries and just mutual obligations, we cannot unite all freedom-loving Indians, we cannot win a free India.

The basic principle is already there as the very principle behind the Congress demand of national Independence against the British; it has to be carried forward to mean the Independence of every section of the Indian people in their own national homelands.

The basic concept is already there in the concept that the Congress has done the most to evolve and popularise the concept that all Indians are one family against the British rulers. It has to be carried forward to mean that a free India will be a family of free nations, with no chance or danger of one oppressing another.

The basic urge is already there in the very best Congress tradition of being the first and foremost champion of Hindu-Muslim unity before the masses, in its first heyday during the twenties.

The problem can be ignored no longer and only at our common peril.

Unity—Most Burning Issue

It is a basic programmatic issue, either the principle of freedom is applied within our country by our parties voluntarily or freedom does not come to our country and the British dictates what they decide. Freedom is not a principle that only has to be used and fought for as against the British but it has to be applied to the living problems of our own country and in building up our own freedom movement, for our own free State.

It is the most burning practical issue of the day, either the two main Indian parties, the Congress and the League, come to an understanding about the basic principles and structure of a Free India and together face the British Government with it as each will be appearing to the British to agree with itself and turn down the proposals of the other side, i.e., a British-imposed Constitution will emerge which will be neither of a free nor of a united India.

Neither on the plane of principles nor on that of practical urgency can our demand for the acceptance of the principle of self-determination as the basis of the Constitution of a Free India, nor our tireless advocacy of immediate Congress-League negotiations for its concrete application to achieve an agreed Indian Plan for the coming Constitution-making body, be resisted.

The form of Congress-League unity and the principle of self-determination came to us first rather than to any other Congress group or party for the same reasons which have made our Party the first consistent advocate of every new idea in our national movement.

An average Congressman today does not take the need for Hindu-Muslim unity for granted, the Congress leadership has been losing the Muslims more and more ever since 1920. Every Communist takes it for granted because if there are any joint mass organisations both of Hindus and Muslims, if any were born, as such and have grown up as such ever since the joint Hindu-Muslim upsurge of 1920 movement collapsed, they are the Trade Unions and the Kisan Sabhas. Every Communist comes to love and respect the Muslims through his living experience of the Muslims at their best in strike struggles and other common causes. Daily needs and daily battles

knit together the masses to organise and lead. We do not just talk of Hindu-Muslim unity, we practice it in our daily life and work in the service of our people.

Our Party as the party of the oppressed seeks justice most and therefore was the first to give its ear to the grievances of the League and to think of a solution in terms of justice to all just claims.

Our Party considers freedom's battle as its foremost concern. The first thing a Communist learns is to learn the need of unity in action; the second thing he is taught is that his heart must always respond to the call of justice; the third thing he is taught is how to apply his head to whatever is the most burning problem for the freedom of India. Naturally enough we are the foremost advocates of the principle of self-determination in our national movement.

We Only are Non-communal

It is a tribute to the scientific outlook Marxism imparts that neither the League nor the Congress leadership charges our leadership with being communal as they do each other. They both regret that we do not agree with them when we refuse to join their factional drive against the other and suspect that we must be having some game of our own; they go on to imagine us in their image, the League leadership that we want to run away with the Muslim youth having lost the Congress youth by our attitude in 1942, and the Congress leadership that we want to become popular in the Muslim masses having lost the Congress parties in 1942. Both think we are clever enough to cook up new ideas and arguments to become popular. It is no accident that both have the typical elderly middle class professional politician's outlook not only towards our youth but also towards the people!

We know and respect thousands of Congressmen as being intensely freedom-loving and inherently just. We have no doubt that their own patriotism and sense of justice within them which has grown through 60 years of ever-growing nobler Congress tradition will rise to the occasion as they see the havoc that unfolds itself through the present anti-Communist and anti-League lead. Neither our Party nor the League would have had any popularity among those sections of the people they at present lead because they represent something real, vital distinctive which cannot be destroyed. All the problems that the present orientation of Congress policy are supposed to solve will come back to roost. The constitution-making body will be a worse Simla Conference unless Congress-League agreement is achieved along the lines that we have been advocating. There is no other alternative.

11. The New Situation and Our Tasks, CPI, 1945

Resolution, Central Committee, CPI, Bombay, 16 December 1945.

The Central Committee reviews in this session its own last inner Party Resolution and the Electoral Blue-print in relation to the nature and tasks facing the Party in the new period.

The purpose of this resolution is to positively re-state the main character of this new period and programmatic slogans of the Party and state the main mistake in its last resolution.

I. Features of the New Period

The post-war period in India is the period of an unprecedented opportunity to make the final bid for power and of the greatest danger of internal disruption through strife among our major parties.

The opportunity arises from the unparalleled hatred of all sections, all classes, all generations of our people against British rule due to the denial of power, war-time Government repression, war-time increased miseries of the people and the exposure of the utter incompetence and thorough corruption of the Government apparatus from top to bottom. The greatest and most ardent desire

of our people is to get rid of British power here and now by any and every means. They are hungering for a political lead, they are looking forward to be led into action. There is greater political interest than ever before.

The danger arises from the fact that this mounting hatred against British rule, which is shared by all sections of the masses and the rising spontaneous outbursts of the toilers in the factories and on land against unbearable post-war economic conditions, instead of being unified into a united front of struggle against Imperialism is being led into suicidal channels of mutual strife.

This danger arises from the political strategy which the leaderships of the main political organisations of our country, the Congress and the Muslim League, are following, namely of seeking a unilateral compromise with the British Government, of rousing their masses against each other and of lining up with their own vested interests for the purpose. The result is that the anti-British sentiment is not being transformed into a joint front for Indian freedom, the freedom urge of the Hindu and Muslim masses is being disrupted into rival Hindu and Muslim camps.

This chauvinistic consolidation of Hindus and Muslims in hostile camps and the lining up of the respective leaderships with their vested interests accentuates anti-Communism in both the camps. The result is that the efforts of the Communists to give a unified lead to the spontaneous struggle of the toilers are being disrupted by the leadership creating the danger of the working class and peasant movements being smashed in isolation instead of being unified with the patriotic upsurge.

The great pride of Congress masses in their own organisation is being transformed from anti-League prejudice into anti-Muslim sentiment, from anti-Communist prejudices into internal disruption of the Congress itself and Congress struggle against the Communist Party.

Similarly, the newly awakened sense of Muslim solidarity behind the Muslim League is being transformed into Islamic revivalism, the fear of Hindu domination into anti-Hindu hatred, love for the freedom of their own homelands as Pakistan into the demand for partition of India with unjust territorial claims.

In short, the policy of the leaderships of our two main political organisations is not bringing freedom nearer but reviving chauvinistic ideas, dividing our people more and more disrupting our freedom movement and canalizing their freedom urge behind the compromising policies of their own leaderships and the isolation of our Party and the smash-up of the working class and peasant movement build up by us.

It is in such a situation of great possibilities and great dangers that the Party has to play its role.

For a new orientation in the new period the first being to realise is that the post-war period has nothing in common with the war period or any other earlier period of our freedom movement and the Party from top to bottom has to completely reorientate itself for the new period.

The main characteristic of the period is that it is a new period in which our freedom movement can successfully make the final bid for power relying on the anti-British freedom urge of an unprecedented mass of our people, of all nationalities and all classes. The main danger of the new period arises from blind and fratricidal policies of the leaderships of the two main political organisations of our people. The gravest danger facing the Party is either to become the tail of either of the two leaderships or get isolated through the mass campaign they are unleashing against one another. This danger however can become real only if the Party follows either a tailist or a vanguardist policy and does not play its own true role.

What every Party Member must realise and what is the main responsibility of the Party leadership is to evolve a new programme for the new period, a new strategy and outline correspondingly new tactics.

Trends Inside the Party

In the Central Committee discussions as always happens when the Party enters a new period different trends have revealed themselves inside the Party. The first minority trend is purely sectarian which bases itself entirely on the elemental upsurge that is already visible in the new post-war period, glorifies it and suggests tactics of the period that we applied in building up the initial working class movement in period 1929–34. It glorifies working class action only to cover up the isolation of the working class to which such a policy inevitably leads. It seeks the glory of debating with the national bourgeois leadership from a distance and hopes that the patriotic masses will come to our side. It also leads to the adoption of a narrow strategy of class vs. class and Left vs Right instead of the correct strategy of national unity vs. national disruption.

The second minority trend is one that wants new constitutional formulas for the coming electoral battle to be able to argue with the Congress and League leaderships that it is a better plan than theirs for Indian freedom. This trend understands the strategy of the United National Front exactly as in the war period, namely an organisational unity of patriotic organisations with the only difference that we now work for the unity of Congress, League and Communist party instead of Congress and League as before! It carries forward the war tactics of 'no strike' into the post-war world. This is the tailist trend in practice and liberal reformist in policy.

The large majority is confused and is grouping its way towards a new orientation in Party policy and tactics.

The first caution every leading Party Member in the CC and the PCs should observe is to understand the main slogans of the Party and not indulge in schematic thinking which is a spontaneous echo of present-day problems plus a remnant of the strategy and tactics of some earlier period. The first duty of every Party leader is to study his own living experience, study the developments in the political camp of his own national homeland and the concrete tasks on his own front. This is the only way he can usefully contribute in formulating the policy for the new period and learn to apply the strategy and tactics of this period correctly.

The Party characterizes the post-war period as a period of the final united struggle for Indian freedom if the Party of the proletariat can fulfil the role as unifier of the freedom-loving masses or alternatively the national bourgeois leaderships of the Congress and the League will surrender to the Imperialists creating a situation in which spontaneous outbursts would be turned into civil war or class war and thus inflicting a disastrous set-back on our struggle for freedom.

II. Programme, Strategy and Tactics of the New Period

The Party programme for the present period is a programme for the achievement of immediate national independence from British domination and guarantees the freedom to all Indians in their national homelands, voluntarily united together into one great Indian union of completely free nations.

The economic programme of the Party is a programme for the common prosperity of the vast majority of the Indian peoples and for the destruction of the present-day poverty.

The aim of the Party is to build a free and prosperous India that shall be a great power in the comity of nations and play a liberating role in Asia and a progressive role in World politics in alliance with all truly democratic forces, and against world Imperialist reaction.

The new strategy of the Party is to work as the builder of a new United National Front in the form of a Congress-League-Communist joint front basing itself on the just demands of the Congress and League, firmly eschewing the unjust claims made by their leaderships, as a true expression of the freedom and unity urge of the common people behind these two great organisations, despite the present-day sectarian policies of their leaderships. The main strength of the Party is derived

from its being the organizer of whatever working class and peasant movements exist in our country which are the living embodiment of the joint organisations of Hindu and Muslim masses and constitute the mass democratic base behind the Party.

The first and most major task of the Party is to strengthen its own base and seek an alliance with the democratic following of the Congress and the League on the strength of the patriotic, just and practical programme of the Party and its daily practical work in common interest.

Lead New Mass Struggle

The new tactical line of the party is based upon the realization that the war period of 'no strikes' is over and that the Party must take the foremost lead in organising not only partial struggles of the workers and peasants but also anti-Imperialist mass protest actions and it must fearlessly intervene and participate in every spontaneous outbursts of popular fury against British rule and police terror and thus give the new rising spontaneous mass upsurge a sense of its true direction and effective organisational leadership and prevent the factional game of the Congress and League leaderships of turning mass discontent against each other instead of against the common enslavers—the British rulers or the common exploiters, the profiteering Black-marketeers or the feudal parasites in the countryside.

This is the only way the Party can prevent spontaneous outbursts being turned against each other instead of the common enemy. This is the only way the Party can prevent the Congress and League leaderships from fanning the flames of popular discontent to keep up their mass following and hide their tactics of preparing the ground for unilateral settlement—that is, a new surrender to the British Government—while letting the police quench the popular fire. This is the only way the Party can prevent its own isolation and prevent the formation of rival Congress, League and Schedule Caste mass organisations of workers and peasants—that is, keep its own mass bases intact against the inroads of alien sectarian bourgeois influences.

In the new programme, strategy and tactics the Party must guard above all against vanguardist mistakes, against unorganized actions and party leaders must take the foremost part in studying every new situation carefully and take personal responsibility for guiding every single action under the guidance of their own Party unit and in consultation with the next higher unit.

The greatest need of the hour is for the Party leadership to re-educate itself for the new period and remain ever-vigilant in the rapidly changing situation and go even nearer to our own masses and look out for the masses and democratic elements in the periphery of our own organised bases and study the mood and criticism of the neutral members of our common mass organisations. This alone will enable them to remain leaders in the new period and fulfil their difficult responsibilities competently and effectively.

Election—Immediate Issue

There is no time to go in for a deep study or long-term review of the present period because of the coming elections.

Other Parties are entering the election battle on their own old traditional Party slogans and their whole campaign is planned both against each other and also deliberately to pull our party behind themselves and against the other or to squeeze us out of political existence and break our links with non-Party masses; and they are supremely self-confident because we are the youngest force in our country's political life.

All that has happened ever since the end of the war and all that has been so far revealed of the characteristics of the new post-war period in our country confirms the belief of the Party leadership that its decision to contest the elections is sound—to save its own political existence, to preserve

the common mass bases built up by it and to earn the respect of the open-minded neutral masses for its patriotic programme and prosperity plan.

The party leadership however notes that the party membership yet considers the election battle as an organisational battle for its existence and not yet the issue of life and death for the party as a political force and as leader and organizer in the working class and peasant movements and as the main lever for building the united national front in the new period.

III. Against Imperialist Plan—Our Freedom Plan

The inner-Party discussions so far held enabled the Party to formulate its freedom plan more accurately and concretely in relation to the post-war Imperialist plan for our country.

The principles of the post-war Imperialist plan for our country are contained in the Cripps proposals which have been repeated in subsequent pronouncements by the British Government. The full blue-print of the Imperialist plan is contained in the Coupland Plan which is based on continuing British hold over India through three formally free dominions, Hindu, Muslim and Princes, linked together by some sort of a common loose centre which the British Imperialists would be able to use to keep their hold over us and the preservation of their Imperialist economic interests in India, safeguarded by a new economic treaty which may replace their existing safeguards.

The Imperialist tactical line is contained in Lord Wavell's latest Calcutta speech which is based on perpetuating the continued disunity of the Congress and the League and on using one against the other, a line which calls upon the Congress leadership not to indulge in struggle demagogy and the League leadership not to indulge in communal demagogy and calls upon both to realise the danger of spontaneous economic outbursts in the new period and offers to negotiate with both and sermonizes to both to come together.

On this basis Wavell claims for the British Government and the British interests a role in the leadership for settling the Indian problems, that is, he seeks the role of the Arbiter of our destiny.

The immediate political slogan of the Party is:

- Against the Imperialist plan;
- Against any unilateral negotiation with British Government which can only end in surrender;
- For a common plan for immediate Indian freedom;
- For the path of united struggle for Indian freedom.

The first step in the British Imperialist plan is to deny the elementary principle of democracy by bringing into existence a constitution-making body without adult franchise; secondly to deny the very principle of Indian self-determination by refusing to make an unequivocal declaration recognising complete India independence; thirdly to deny self-determination and democracy to the people of Indian States and perpetuate the division of India.

The central slogan of the Party is the demand for the immediate transfer of power to the Indian people through an All India Constituent Assembly which recognises the sovereignty of the people of every natural national unit in India and is composed of delegates from the Constituent Assemblies of these units elected on adult suffrage. This includes the right of self-determination of the people of the Indian States so that they may frame their constitution through Constituent Assemblies elected by adult franchise and reunite with the people of their nationality in the contiguous unit or units of the present British India, if they so desire.

We recognise the freedom urge behind the Pakistan demand. Our stand would guarantee complete self-determination to national units with Muslim majority and enable them to form a separate federation if they so desire.

We will appeal to them to see the injustice of the claim of the League leadership for six provinces as greed for neighbouring homelands and reliance only upon British-made boundaries.

We will also appeal to them to see that this separate federation of Muslim majority units should agree to join a common Indian Union for the purpose of defence and economic reconstruction in mutual interest and to enable India to play her role in Asia and the world for freedom, peace and security.

Our Party stands for a voluntary union of sovereign national states of the great family of Indian nations on the basis of complete democracy within each and utmost help to each other, the more advanced helping the less advanced through a common federal centre.

We would appeal to the Congress masses to see that unless they recognise the unconditional self-determination of every natural and national unit in India they would not be able to forge an all-in front of freedom to assert self-determination of India as a whole from the British.

We guarantee to the Sikhs that in regard to the territories in which their historic homelands lie, they would be able to exercise their right of self-determination together with the rest of the population of that territory.

We stand for a united and free Bengal in a free India, Bengal being the common homeland of Bengali Muslims and Hindus should be free to exercise its right of self-determination through a sovereign Constituent Assembly based on adult suffrage and define its relation with the rest of India.

We will demand in the next Provincial Legislative Assemblies that no popular Party walks into the Imperialist trap but all together evolve a common plan for Indian freedom. During the elections we shall rouse the Indian peoples popularizing our just solution and appeal that all parties should agree to put their differences to the people when the leaders cannot agree among themselves and demand from the British universal franchise and the unfettered right of the exercise of self-determination for the constitution-making of a free India and for a voluntary treaty with Britain.

We will explain how a joint front can be built here and now by applying the principle of self-determination to our own national problems for the settlement of Hindu-Muslim differences and by re-carving the boundaries of our natural homelands artificially disrupted by British rule, so that everyone of our people is able to take a share in deciding for itself between the programme of different parties and in making its voice heard in the formulation of the programme of freedom and prosperity.

Our central endeavour in the elections shall be:

Firstly to rouse the people against British domination and for justice among themselves.

Secondly to get the people to judge different parties fairly.

Thirdly to see in our freedom programme the most natural expression of their own true freedom urge and its concrete application for building a new life for themselves through their own endeavours.

Our Party shall not only rouse the people against mutual strife and sectarian propaganda but also popularise the prospect of a great united freedom struggle as the final all-in struggle for power through the acceptance of the freedom plan put forward.

IV. For Profiteer-free Towns and Jobs for All

The Party does not go beyond the principles of industrial national reconstruction already accepted by the Congress and the League of nationalization of key industries and control of major industries.

The specific contribution of the Party consists in applying accepted democratic principles of national reconstruction to the specific conditions of our national economy as it has been transformed during the war-period, through the narrow selfish aim of the British Imperialist bourgeoisie who

have thwarted Indian industrial development and the greed of the Indian bourgeoisie who organised most large-scale hoarding. The British bourgeoisie held back the development of our economy, the Indian bourgeoisie went in for war profiteering and the two together have brought untold misery of scarcity of all vital necessities of daily life for our people.

In the new phase of post-war crisis the industrial economy is threatened with a new acute crisis and mass unemployment, if the British Imperialist political plan succeeds, whose economic counterpart is an alliance between British Big Business and their Indian Brothers through a new economic treaty between British and India and the British High Commissioner to come to represent and safeguard existing British economic interests in India and represent British interests in India with the new Provisional Indian Government. By this simple trick the British Imperialists propose to remove, if possible, the problem of safeguards in the new Indian Constitution.

The industrial aim of the Party will be realised by working out concrete measures to apply the following principles in our national industrial life:

- The most rapid industrialisation of our country;
- Nationalisation of key industries;
- Control of all major industries;
- Control of all Capital resources;
- Planned co-ordination between the development of large-scale and cottage industries for the maximum growth of both.

Practical Measures

The practical measures that the Party will press on any new popular Government will be to pass People's Ordinances to ensure the following measures:

- (1) Seize all British capital, plantations, industrial concerns, mercantile firms in lieu of British Government's refusal to part with India's Sterling Balance.
- (2) No return of the EPTA Reserve.
- (3) Illegal Riches of the War Profiteers to be confiscated and mobilised for people's needs after proper investigation.
- (4) No retrenchment and the guaranteeing of minimum wage to all industrial workers. Re-conversion of all war-time factories to production for peace-time needs and thus maintain the existing level of employment.
- (5) Rapid introduction of social legislation to ensure more jobs for educated middle-class youth and open an era of new enlightenment for the working masses of the towns.

Only two alternatives face the vast majority of townsmen, either a united struggle for jobs for all and growing prosperity of our country or mass unemployment of the working class and middle class and all at the mercy of the profiteers.

Strategic Aim

The strategic aim of the Party is:

- (a) To concentrate fire on the profiteers primarily the British but not excluding the Indians.
- (b) Smash the growing alliance between British Big Business and their Indian class brothers.
- (c) Build the unity of the working class with all sections of the middle class, technicians, all sections of employees and intellectuals, small traders etc.
- (d) Strengthen the organised working class unity itself to embrace all sections of the working class in the mass organisation and make a new drive to start Trade Unions of hitherto unorganized workers.

The path that the leadership of the Congress and League is following is to embrace their own profiteers and rouse not only the middle class but endeavour to engulf the working class as well in their fratricidal campaign against each other. This will make not only the task of national reconstruction but the introduction of immediate anti-profitier measures very different in the period ahead.

The path the Party seeks to follow is to make an unprecedented effort to strengthen its own working class base and make an approach to the Congress and League mass following on the basis of its anti-profitier people's slogans and thus lay the basis for a new democratic alliance at the common base among the people and help to strengthen the drive for the new United National Front.

V. New Village-Landlord-Usurper and Hoarder-Free and Food for All

For the reconstruction of our agrarian economy the Party seeks to carry out the democratic programme of the destruction of all vestiges of the medieval feudal order, especially parasitical landlordism and usury.

The Party not only preaches in general terms but today seeks to apply its programme of new democracy to the chronic agrarian crisis in our rural areas under imperialist-feudal domination which has become intensified a thousand-fold during the war years.

The traditional feudal and the new capitalist exploiters of the village, the absentee landlord, the unscrupulous usurer, and the greedy trader have all become as never before, much stronger through hoarding and black-marketing and hold the entire village at their mercy and the local officials in their pockets through bribery. On the other hand the mass of the village poor have become poorer and are being uprooted from their own ancestral homesteads.

Only two alternatives face our rural economy.

Either immediately remove the 3 traditional leeches from the living body of the village toilers or face a period of chronic famines and destruction of normal village life.

One is the way of chronic famines, the other of food for all.

One is the way to new life, the other of death slow or fast.

One is the way to rebuild and save our villages, the other to see them disintegrate, and witness the destruction of all hope for the village toilers and the domination of the corrupt and selfish over the entire village.

In its propaganda, the Party shall concentrate its entire fire on the village parasites who have also been always British toadies and expose not only their anti-national and anti-people past but also the complete corruption of the village administrative apparatus which they have brought about. Our Party shall rouse not only its own but also the Congress and League masses to the grave danger of these feudal parasites and rural hoarders getting inside the Congress and the League while their top leaderships seek to divide the village folks among themselves.

The Party shall preach in its electoral campaign the urgent necessity of any new Popular Ministry undertaking in hand the task of national rural reconstruction on the fundamental principle of democracy and destroy the grip of the anti-national feudal landlords and usurers and the greedy hoarders on village life.

Fundamental Laws

The party shall pledge that it shall demand that any new Popular Ministry shall pass within its first year three new fundamental laws to ensure the birth of new free villages.

- (1) A Land Act ensuring abolition of landlordism (vide proposals in the Blue-print).

- (2) An Anti-usury Act abolishing usurious money-lending to the agriculturists and artisans and guaranteeing credit to peasants and artisans through co-operative which shall be based on democratic control and which will mobilize the credit resources of the present money-lenders at a suitable rate of interest.
- (3) An Anti-profiteer Act, abolishing the new monopoly-grip of rural wholesalers over people's food and peasants' needs and introducing large-scale 'Sales-Purchase Co-operatives' run on a democratic basis and not ruled over by the bureaucracy.

Immediate Measures

The Party shall demand that new Popular Ministries pass People's Ordinances for the immediate introduction of following measures so as to give no time to the vested interests to rally their forces and fight urgently needed relief.

- (1) Agricultural Income Tax on all agricultural incomes of statutory landlords leaving them not more than Rs six thousand of the rentals received by them per year.
- (2) Immediate strengthening and democratization of the co-operative movement and subsidizing of Sales-Purchases co-operatives by declaring and guaranteeing fair price for agricultural produce and ensuring industries goods to villages at non-black-market fair rates.
- (3) Fallow land of the Zamindars and Government to landlords and poor peasants.
- (3a) Substantial reduction of rent and guaranteed minimum wage to agricultural labors.
- (4) Immediate arrangements for training peasant youth in new methods of agriculture and for running rural co-operatives and new cattle-breeding farms.
- (5) New Schools and hospitals, and immediate prospect of new jobs for the educated village youth.

Strategic Aim

The main strategic aim of the Party is to isolate the toddy anti-national parasites and profiteers even though they are wearing a patriotic mask today and rally vast majority of the village people starting from the small zamindar and rich peasant upto the landless untouchable labourer on the main plea that our plan ensures the prosperity of all on the basis of justice to all and the only condition is that all who contribute socially useful labour in running the village are brothers among themselves and must unite against the common enemy—the leeches, the Landlord-Usurer-Hoarder's combine.

The tactical that the Party follows to bring about the above democratic alliance which should endeavour to embrace the mass following of the Congress and the League and their local workers and also non-Party village leaders from every walk of life is by following measures:

- (1) Make a real non-Party approach in its mass agitation in terms of the interests of the village as a whole.
- (2) Strengthen its own Kisan Sabha base by expanding Sabha enrolment both ways from middle-peasant and landless labourers and to bring in the majority middle-peasant and the best of the rich peasants. Make the Kisan Sabha the living embodiment not only of the mass of peasants but led by the best of the peasants and the foremost fighter for the needs of the entire village and main organiser of its future life.
- (3) Rouse new democratic consciousness in the village by breaking the links of the rich and middle-peasants with the 3 leeches and rousing their sense of justice to see the need of

giving primary importance to the needs and demands of the poor and landless in all relief and reconstruction measures.

- (4) Seek the aid of all patriotic enlightened and democratic elements in the village not only in its daily constructive work but win them over to participate in different aspect of Kissan Sabha activity.

VI. Self-Criticism

Most of the time of this session has been spent in self-criticism and reformulating and sharpening the main programmatic slogans for the Elections. What have our discussions in terms of the happenings in the period between our two meetings revealed?

In one word the last resolution only embodied a partial understanding of the new post-war period and carried forward the remnants of the people's war period in the new post-war period as happens when the Party has to make the transition from one period into another.

- (a) It carried forward the understanding of the war period into the analysis of the post-war world. This led to the illusion of peaceful development and under-estimating the role of the social democratic leadership of the Labour Party which could not but trail behind its own imperialist bourgeoisie once the war was over and the camps of Progress and Reaction began regrouping themselves.
- (b) It carried forward the national outlook of the war-period into the new period. The central task during the war-period was acceptance of self-determination by the leadership of the Indian National Congress and the Muslim League against British imposed deadlock. In the post-war period the situation became how to rouse the people directly for asserting independence and self-determination against the British domination and implementing the same principle in our own future development and for the solution of our present differences.

It did not squarely face the task of reformulation of a new freedom programme for the new period. It formulated the freedom programme not in a manner as will unite all freedom loving forces to smash the imperialist plan but by mechanically and not objectively applying the principle of self-determination. It escaped the real controversy of one Constituent Assembly demanded by the Congress and two Constituent Assemblies demanded by the Muslim League by formulating the slogan of 17 Constituent Assemblies which voluntarily decide the next step. Thus the nationalist issue of asserting self-determination against British domination got thrown in the background and ours appeared as sound but utopian solution.

- (c) It carried forward the strategy of war period into the post-war period.

It mechanically extended the slogan of Congress-League unity to Congress-League-Communist unity which was not understood as a new strategic slogan for a new period but as mere extension of the same old war-strategy. It made no sense when Congress and League leaderships were violently rousing their following against each other and Congress leadership was launching a frontal offensive against our party and the League leadership deliberately isolating League Progressives.

In the war period Congress-League unity was real struggle, the only way to break British-imposed deadlock and win a National Government. In the post-war period a united plan for final struggle for power became the main strategic task of the period.

To miss the above led to a series of mistakes:

- (i) The underestimation of the mounting anti-British sentiment among all sections of the people and of the rising wave of workers' and peasants' struggle arising out of post-war economic conditions.
- (ii) Lost initiative to the anti-Communists.
- (iii) Under-estimated how rapidly neutral masses will fall prey to the demagogy of their own leaderships.
- (iv) Looked upon anti-Communism only as an extension of war-time frustration and prejudices, which we answered in terms of being unfair to us and by putting on a superior moral tone.
- (v) Under-estimated the rightward swing of the Muslim League leadership.
- (vi) The last session failed to work out any guiding slogans that will help local units to work out a new tactical line in face of struggle demagogy by the Congress leadership and the spontaneous outburst of a new strike-wave.

No new lead was given either on partial struggles or on anti-Imperialist campaigns organised by other parties.

VII. Decision

The Polit Bureau in consultation with local CCMs to immediately draft and dispatch 2 documents;

- (1) Manifesto for the Elections.
- (2) An Inner-Party Letter for the ranks.

The Inner-Party Letter should help to orientate the ranks towards studying the new policy documents with a new outlook. It should popularize following ideas:

- (i) The post-war period is a new period. Clear out remnants of the past but don't start speculating about the future.
- (ii) The new period holds out only two alternatives:

Can political India make a final bid for Indian freedom and all-round democracy here and now?

Or will the freedom movement as we have known it ever since the mutiny and which has grown from stage to stage will destroy itself in mutual strife and unable to solve the acute problems facing it?

- (3) The specific feature of the new period is that it marks the end of the bourgeois-led freedom movement in channels of factional strife, separate spontaneous struggles and is rapidly going into the direction of compromising with British Imperialism.

It is the responsibility of the Party to save the national movement and become the inspirer, initiator and organiser of a new period in our national awakening.

Ours is the responsibility to expose the illusory hopes of the Congress-League leaderships for a unilateral settlement with the British Government, ours is the job to act as the connecting link between the Congress and the League for a new United National Front that can and must make the final bid for power from the British rulers.

- (4) The Election battle is only the first round of the battle.
- (5) Our organised working class and peasant support are the existing bases for the new United National Front and our natural allies are the Congress and League masses in our own localities.

(6) Our weapons are the following:

- (i) Ideological: New freedom and prosperity programme of the Party which is the application of Marxism to our own country, which alone embodies the freedom and democracy urge of our people and which alone can be defended and not assailed or the basis of our own and generally accepted freedom and democratic principles and which transforms existing national sentiment into a new patriotic programme which must echo as just and practical in the heart of the Congress and League masses both.
- (ii) Strategic: the reformulation of the basic strategy of a colonial movement as the United National Front, as Congress-League-Communist unity which embodies the freedom, democratic and unity urges of our common people in one single thread.
- (iii) Tactical: We must be in the forefront of all struggle and be their foremost organizers.
 - Political actions against police terror and the Imperialist acts of the British rulers.
 - Economic: partial struggle of the workers, peasants and all sections of our suffering people.

We must be the first to stop war among brothers, whenever there is a fratricidal struggle among brother peoples, we must stand in between and stop it, e.g. communal riots, Congress-League conflict, League and Nationalist Muslim conflict, etc.

APPENDIX I

Correspondence Between Mahatma Gandhi and P.C. Joshi

I

P.C. Joshi to Mahatma Gandhi

Bombay
6 May 1944

Dear Gandhiji,

I greet you on behalf of the Communist Party. With the rest of our countrymen we wish you the speediest recovery. We respectfully look forward to the day when you, the most loved leader of the greatest patriotic organisation of our people, will be in a position to give the long awaited lead to the nation against political deadlock which has resulted in famine conditions and Jap aggression and for patriotic unity of all national forces to get food for our people and freedom for our country.

I will be very happy to explain to you the policy our Party is pursuing to-day and report to you the little we have endeavoured to save our nation in your absence.

I am sending Comrade Batliwall, whom you already know, to pay you a warm homage on behalf of our Party.

With respectful greetings.

P.C. Joshi

II

Mahatma Gandhi to P.C. Joshi

Juhu
11 June 1944

My dear Joshi,

I had expected a prompt reply to the questions I had raised at our meeting.* Meanwhile some additional questions have arisen which, please, answer when you answer my first questions.

- (1) What is the meaning of 'people' in 'People's war'? Does it mean war on behalf of India's millions, or the negroes in East, South or West Africa, or the negroes of America, or all of them? Are the Allies engaged in such a war?
- (2) Are the finances of the Communist Party represented by you subject to public audit? If they are, may I see them?
- (3) It is stated that the Communist Party has actively helped the authorities to arrest leaders and organisers of labour strikes during the last two years.
- (4) The Communist Party is said to have adopted the policy of infiltrating the Congress organisation with a hostile intent.
- (5) Is not the policy of the Communist Party dictated from outside?

Yours sincerely,
M.K. Gandhi

* Gandhiji was referring to his talk with P.C. Joshi in early June 1944.

III

P.C. Joshi to Mahatma Gandhi

Bombay
14 June 1944

Dear Gandhiji,

Your small chit came as a pleasant surprise that you were so eager to know more about us.

I did not send you a prompt reply because Mrs Naidu was justly annoyed over my meeting you. She is of the opinion that you should not do any serious political work. From what I saw of you myself I agree with her. I thought I was helping the fulfillment of a big national task, your speedy recovery to normal health, by not writing to you. I had decided to write to you after two weeks or a month, after the doctors had announced that you could take to your normal work.

It is perhaps not out of place to tell you that I did not want to meet you when I did but our plan was to wait for your call in answer to our letter of greetings. Miraben was anxious that I see you, she was worried over the slanders going round about us. I laughed away her fears. But I kept the appointment she had made just to give you an inkling of the way our mind was working. As you can imagine I did not come back a happy person. I am answering your points in a very brief manner because I think it is a crime to strain you now and reserve fuller explanations for a future occasion if and when you ask for them.

First Question

What is the meaning of 'people' in 'people's war'?

Does it mean war on behalf of India's millions, or the negroes in East, South or West Africa, or the negroes of America, or all of them? Are the Allies engaged in such a war?

Your first question is not very clear to me but I will try my best.

People in people's war means all peoples the world over without exception. It, of course, includes India's millions and also the Negroes wherever they be.

'Allied' is a very general term. There is a difference between the Allied peoples and their governments. There are differences between the Allied Governments themselves. You know as well as I do what Churchill stands for. On the other hand, you can read Stalin's war speeches for yourself; we have brought out a pamphlet of these and it is in the packet presented to Sjt Pyarelal.

We do not decide our attitude towards a titanic world struggle by what Churchill thinks of it or how he seeks to achieve his aim through it. He does not decide the course of history for us.

We decide the character of the war on the basis of our objective analysis of the participants in the war and the basic issue at stake.

This war has split the world into two camps.

On the one side are the Fascist aggressors. Fascism is nothing else except Imperialism in its worst and last form. It is only as Fascism that World Imperialism can exist today. Fascists are fighting the war for the imperialist domination of the world.

On the other side are the freedom-loving peoples of the world. In some countries their Governments are reactionary and imperialist. In others they themselves are colonial slaves who though not yet free, have been able to raise national movements as yet weak like the Negroes or already very powerful like our own. In this camp is heroic China which through its 7 years' national resistance to Jap Fascists has saved the whole East from going under the Jap heel. In this camp also stands the great USSR where alone real freedom and full democracy prevails, where alone the people are united as they nowhere are, where there is a people's army the like of which has never been raised before, where there is a people's State whose strength has come as a revelation to all other peoples and governments. It is their Red Army led by their Government which has destroyed Hitler's dream of world domination and stopped the Fascist pincers meeting on our sacred soil. If the words Freedom and Democracy mean anything for today and tomorrow, this is the camp of Freedom and Democracy.

Every people has to choose for itself which camp they would line up with, whose victory they desire. The fate of the peoples of each country and of the whole world depends upon which side wins.

If the Fascist side wins it is fascist-imperialist slavery for every country of the world and the end of freedom of all.

If the Allied side wins it means the cause of freedom itself saved. Every nation fights for its own and world liberation by fighting in this camp. The enslaved nations of the East are, of course, in a very difficult situation. How can they fight with the fire of patriotism burning in their bosoms when they are themselves in chains? The simple issue is that they have to fight the battle of their own national liberation in a new context, with a new strategy.

Let us rule out the alternative first.

If the patriotic leaders of the colonial people oppose this war they directly aid the Fascist enslavement of their own country and help the Fascist imperialists to conquer the rest of the world with the added strength of their resources and sign the death warrant of their own nation.

If the patriotic leaders of a colonial people remain neutral, they indirectly aid the fascist aggressors by condemning their own people to a course of passivity and leaving the resources of their own country in the hands of an alien government which cannot but be incompetent and soulless.

Is the position then: let us fight the fascists now; we will fight for our freedom when the war is over? Must we acquiesce in our present slavery and line up behind the present alien Government? This would not be a patriotic policy but its opposite (such as M.N. Roy's policy). This would be the way to liquidate our own national movement, let our country go to pieces under alien rule and weaken what is one sector of the battlefield for the rest of the peoples of the world.

The more clearly we distinguish between the two camps which are at war, the more correctly will we be able to shape our national policy in the special conditions of today. National resistance to the fascist aggressor, together with the rest of the progressive forces which are fighting fascism is the only path of national liberation from imperialist domination for us today.

Imperialist bureaucrats know that if the Indians people and their patriotic parties are given the chance and freedom to rouse the spirit of resistance and patriotism of the entire people against the aggressor, it would mean the beginning of the end of their rule. That is just the reason why they do everything to prevent a national settlement and the establishment of a National Provincial Government.

But that is just the reason why we must go all out to unite all our patriotic forces in our land to defend it against the aggressor—irrespective of what the bureaucracy thinks and does. The more we unite our patriotic parties the weaker and more isolated becomes the alien government and the more irresistible our national and other demands, the greater our capacity to save and serve our people.

The more our patriotic parties engage themselves in those tasks which any war-time Government should successfully lead but an alien government cannot, the more speedily we get the united intervention of all the peoples of the world behind our national demand for National Government in the common interest of fighting the common enemy.

The above is the direction towards which our patriotism should lead us. As we see it, it is starting on the path of resistance and breaking our way to the realization of the National Government and win the right to fight for a Free India in a Free world. The faster and more united we march along this road the sooner comes National Government; the more we get delayed or derailed the worse will be our own fate.

The people of Europe under their reactionary governments went through the purgatory of Fascism before they found that it was a people's war and they could win it. Today what is happening in Europe is not what Churchill desires but what its own enslaved people decide and do. And Churchill cannot keep a Darlan¹ or a Badoglio² in power; he has to chuck the feudal-militarist Mihailovitch for the alliance of the Communist Tito. With a 50-year old national movement behind our back and limitless possibilities of expanding it and the imperative need to knit it still closer together, we do think that you, the trusted leader of our people, can also make Churchill eat his words and settle with India.

It is a vast and very complicated issue that you have raised through your first question. Neither pre-conceived doctrines nor any doctrinaire answer will help you to understand our point of view.

May I suggest that you take the trouble to study the resolution we passed after 9 August (*People's War*, Vol. I, No. 12), our resolution on your fast (*People's War*, Vol. II, No. 32), our May Day Manifesto (in Vol. II, No. 44) and the Editorial we wrote on your release (Vol. II, No. 46). They will tell you how we concretely apply our policy of 'people's war'. A basic fomentation of 'people's war' helps clarity of understanding among those who conform to a common ideology but its living application should prove its soundness to others too and the course of action that it suggests should help them to estimate its patriotic worth.

Question 2

Are the finances of the Communist Party represented by you subject to public audit? If they are, may I see them?

The finances of no political organisation are subject to public audit in the sense that any member of the public can come and be allowed to examine them. But we are very happy that you want to see them because slanders have been poured into your ears on this count. We honour and trust you and are naturally glad that you are trying to see for yourself if you can trust us too.

Our Treasurer P. Sundarayya is at Bezwada leading 1,000 Party members in removing the silt from the canal so that 50,000 acres may get more water and the peasants of Kistna may grow more food for famished Malayalees (the PWD had pleaded its helplessness). Our Accountant Leila, his wife, has gone to Bezwada. But both Sundarayya and Leila should be here any day and I will arrange that they reach Bombay within 48 hours.

If you desire to examine the accounts personally they will present themselves with all the Registers where and when you desire. If you decide to appoint a representative he should be such whom we also know to be an honest man and not already prejudiced against us.

You will not find our accounts as well kept as by a commercial firm but I am sure you will give us a pass after considering that we are yet learning how to keep accounts because under years of illegality our tradition has been that to keep registers and 'proper' accounts is a criminal folly.

You will find some anonymous donors, but I believe that you also accept anonymous donors. But to dispel any suspicion that 'anonymous' may be code for Government cash I am prepared to give you (not your representative) the names.

I can also present before you some of our comrades who on their own right are worth lacs and who have pledged their entire property to the Party. I am sure they will come to you as a pleasant surprise because they are sons of well-known houses whose fathers did not put patriotism above their property. A two-minute chat with each will convince you that they are selfless youngsters, the likes of which the capitalist and feudal classes (from which they come) do not normally produce.

If you have yet any doubts left and in any case, I give you some references which should meet all your doubts. The following know quite a lot about who gives us cash, how and where we spend it, and that the Government does not pay us a pie:

- Iftikharuddin and his Begum
- Shaukat Ansari and Zohra
- N.M. Joshi.

You can ask Dr and Mrs Subbarayan as to what they think is going to happen to their property when Mohan and Parvati (their children and our comrades) get it and in fact what they know happens to the property of the whole-time workers of the Party.

I cannot resist the temptation to make a counter-request to you. I will give you a list of rural and urban areas where we have worked hard among the people and they know us well. You send to any of them Sjt Pyarelal with me when I go out on tour. The only announcement will be to come and listen to me on Party policy. He will find not less than 10 thousand and upto 50,000 and more assembled and tempo and enthusiasm which will remind him of 1920 days. I will make at the end an appeal for the Party Fund and he will find the vast majority paying and in a manner and in amounts that will bring tears into his eyes.

We collect money from the same source as you do—our great people. What helps us to do it is also the same weapon: their patriotic service. Why should you not think that others too can do what you do? In fact we take great pride in the fact that we are carrying on the tradition you started of mass collections for the country's cause and utmost personal self-sacrifice.

Normally children follow their parents. We are such sons and daughters of our nation that we endeavour to get our fathers, mothers and even grand-mothers follow us into our Party. We have numerous example where whole families have gone Red.

You will naturally ask why should honest Congressmen who have talked to you believe such stories against us? I would wish you to realise that after your arrest most of the Congressmen believed that 'struggle' was Congress sanctioned and truly 'national'. They naturally went very bitter when they found us not joining up. This was exploited by the 'organizers' of the struggle—the CSAPs and Forward Blocists who spread the slander that we were paid by the Government. The more the collapse of the struggle became apparent the wider was the slander circulated to stop Congressmen listening to us. The original and active slanderers were the saboteur-leaders because we alone actively campaigned against sabotage and in the background of the then political set-up it got easy currency.

Not one honest man who knows us and has seen us at work will mouth the slander. The pity is that most of the Congressmen who know us personally and well, have not met you and our own work is not so intensive on a country-wide scale as to make all Congressmen everywhere see through the slander. We have no doubts that sooner rather than later we will live down the slander.

Question 3

It is stated that the Communist Party has actively helped the authorities to arrest leaders and organizers of labour strikes during the last two years.

I know it is easy enough to make such a vile charge but very difficult to prove it. I will not answer it like a lawyer asking the accusers to prove their case, which cannot always be done.

I will answer it in broader, political, i.e. more effective terms.

Firstly, I believe if you find we are not paid by the Government you will easily believe that we are not likely to hand over labour to the police.

Secondly, our Party except in Ahmedabad and Jamshedpur, is as much the unquestioned leader of the working class as the great Congress is of the Indian people as a whole. We answer our opponents openly in mass meetings and challenge them to come and put their point of view to the workers.

Almost all the labour leaders are our Party members; the few that are not are our friends and allies and I cannot imagine any one knowing the least bit about the labour world making such a charge except the Congress Socialist.

Shri N.M. Joshi is the oldest trade union leader alive today. He is the General Secretary of the All India Trade Union Congress. He is not a Communist, we have fought him in the past, he does not agree with us on all points even today. He knows our place in the labour movement better than anybody else and all that we say and do among the workers and how we deal with our critics and opponents. A few minutes with him should tell you what is what.

We gave up our strike policy because we considered it anti-national in the conditions of today, aiding the Jap aggressors on the one hand and intensifying the economic crisis for our own people on the other. That we successfully prevented the Indian working class from resorting to strikes even in a period of their worsening material conditions is the measure not only of our influence over it but its capacity to understand national interests as its own.

Question 4

The Communist Party is said to have adopted the policy of infiltrating the Congress organisation with a hostile intent.

There is no question of our 'adopting the policy of infiltrating the Congress organisation'. We have been in the Congress ever since we were born as a Party. I remember the late Mr Langford James, Prosecutor in the Meerut Conspiracy Case making this charge and how we all laughed at him. The game was to create a scare, to isolate non-Communist Congressmen from us. The British agents played that tune once. Japanese-agents do it now. Both represent the nation's enemies and seek to confuse the national ranks.

Whether our intent is hostile or not, it is for our fellow Congressmen to judge and for us to prove otherwise through our practice. We have won the love and respect of Congressmen in the past and hope to enjoy it more and more. Our comrades have been elected to the AICC and to leading places in the Provincial Congress Committees.

We are inside the Congress on our right, as patriotic sons and daughters of the people who join the common national organisation, so that we may be able to fight our hardest and best in realization of the common goal of national emancipation and no slanders can ever provoke us to give up this stand and forego the glorious privilege.

Question 5

Is not the policy of the Communist Party dictated from outside?

The Communist Party decides its own policy as it understands the interests of its own people and of the peoples of the world. As long as the Communist International was there, we were dubbed as 'Moscow Agents'. It is rather surprising to come across the same insinuation even after its dissolution. I am enclosing some documents on the subject which speak for themselves.

The Communist Party is one great revolutionary brotherhood. It exists in every country of the world. All have the same ideology and are moved by the common aims of fighting for the liberation of their own and all peoples. I can send you the journals and documents of the Communist Parties of Britain, USA South Africa, Australia, which have nailed down Amery & Co. as slanderers and provocateurs after 9 August and which have unfalteringly demanded the release of the Congress leaders and settlement with India on the basis of a real National Government.

As the war approaches its climax, you will hear more and more about the Communist Parties in action. In the pocket that is with Sjt Pyarelal there are pamphlets on Finland, Yugoslavia, France, China which will tell you how each one of our brother parties analyses its own national and the broader international situation, what programme it puts before its own people and how it is fighting for it.

As you were fair to me when you told me that you approached us with suspicion, I will not be fair to you if I withheld that your questions pained us because they embody the slanders that the enemies of communism are circulating the world over and are only believed by persons with pre-conceived prejudices. We are a new and rising force, born in the ranks of our own people and shot up through the flame of patriotism which not us but our elders like you, in every country of the world, ignited. We know it is not easy to go out of one's way to understand the new and rather difficult to believe that one's own sons can carry forward the heritage, but we do expect you to consider the following:

- (1) As a great leader of the people, you have known misrepresentation, endured slanders and yet become our national leader.
- (2) From the time of Marx itself, no ideology has been more misrepresented than ours. No peoples' leaders have ever been slandered and for so long as Lenin and Stalin, and yet, one-sixth of the world that is the USSR, growing Communist Parties in every country of the world are living monuments to their work.

- (3) We fought our own prejudices to come to communism, we have been fighting slanders all our Party-lives in seeking our way to our people. We have learnt for ourselves that prejudices cannot stand truth and slanders cannot kill a patriotic organisation.
- (4) You hardly know us, Nehru knew us much more.

We knew you did not like us nor think much of us. We used to meet Nehru, to have our say on the international and national issues that came up before the Congress. Today, he is behind the bars. Without him and without your other colleagues of the Working Committee, you have to understand the whole situation and evolve a way out for the nation. After the Congress and the League, we have grown to be the third Party in the country. It would be unfortunate if you were to misjudge us. But we would continue to stand on the strength of our patriotic policy before the people and the judgment of our people has given us unbounded self-confidence and courage to struggle to find out our failings and the will to correct them but you will fail in the fulfillment of your own duties as the greatest leader of the nation, whose task it is to understand all points of view and evolve a lead that will carry us all to our common cherished goal.

The Congress Socialists suggest that we have grown by basking in the Government's favour and explain this by pointing to the absence of the Congress from the field.

Would the Government pay the Party which has been consistently campaigning for your and other Congress leaders' release, which has been fighting the slanders against the Congress being pro-Japanese, which has been popularizing the anti-Fascist stand of the Congress, which has been demanding settlement on the basis of National Government?

In these 2 years, 4 of our comrades have been hanged.* (You can read their story in *People's War*, Vol. I, No. 40). About 400 are behind the bars and 100 are life-prisoners. Is this the way the Government is helping us?

Congress has been banned before. Did the Liberals grow stronger in 1920? In an enslaved country, only that Party grows which serves the people, and which has a patriotic policy to put before them. The rest wither away.

I had promised you a document on food and another on the League position, but I am not going to send any till you become really better. I feel very guilty for having to inflict on you what has already become a long letter.

With respectful greetings.

P.C. Joshi

* The four peasant leaders of Kayyur, Malabar.

IV

P.C. Joshi to Mahatma Gandhi

Bombay
26 July 1944

Dear Gandhiji,

I had duly received your questions and sent an answer too, I am glad you have read it and as you have written to Mohan, I am expecting an answer any day. There were the news about your chit to me and our answer is going round makes us blush about the political morals of our fellow countrymen. If you are interested in checking up Mohan will tell you something.

As you can easily imagine and as I wrote to you I have not sent you the Memos I promised. They will be waste of my time and no use to you as long as you have prejudice about us.

You will find us willing for any service that needs a stout heart and presupposes deep love of the people.

With respectful greetings.

P.C. Joshi

V

Mahatma Gandhi to P.C. Joshi

As at Sevagram (CP)

Camp Panchgani

30 July 1944

Dear Friend,

I had duly received your letter of 14 June and also your letter of 26 July sent with Shri Kumaramangalam.

Your answer to my first question provokes further question for your reply. I understand that although the chief actors among the Allied powers are by no means inclined towards real democracy, you think that by the time the War ends their designs will be confounded and that the people all the world over will suddenly find self-expression and overthrow the present leaders. In the peoples, according to answer, I am entitled to include us, other Asiatic and Negroes, for that matter perhaps also the proletariat of Japan and Germany. If such is your belief, I must confess that I do not share it but I keep myself open to conviction. Meanwhile I suggest that the title 'Peoples' War' is highly misleading. It enables the Government in India to claim that at least one popular party considers this as people's war. I suggest too that Russia's limited alliance with the Allied powers cannot by any stretch of imagination convert what was before an imperialistic war against the Nazi combine, into a peoples' war.

Holding the view I do, it is superfluous for me now to answer your argument that 'this war has split the world into two camps'. Between Scylla and Charybdis, if I sail in either direction, I suffer shipwreck. Therefore I have to be in the midst of the storm. I suggested a way out. Naturally, it has been rejected because the powers that be, do not want to relax their grip on India. As I am composing this letter to you, I have read and re-read your argument. Every paragraph offends, for to me, it lacks reality. Please believe me that my prejudice against your party has nothing to do with my examination of your answer to the first question.

Q.2. Your answer as far as it goes, I hold to be completely satisfactory. I will not ask you for further proof about your finances.

After I have dealt with your answers, I will put my difficulties before you. Your answers to the other questions do not admit of a categorical reply. I understand your answers and appreciate them too. If I was free from prejudices, I would have no hesitation in accepting your answers. But my difficulty is real and I ask for your sympathy. When I make the admission that I have prejudices, it is an appeal to you to have patience with me and to disarm my prejudices in the best manner you can. I can only give you my assurance that I am ready to see anybody you want me to see, to read anything you want me to read and to examine every argument or fact produced by you as dispassionately as I can. I give you this further assurance that I have not acted upon my prejudice, nor shall I do so unless the prejudices harden into a confirmed belief that your party represents a force of Evil and is really an obstacle in the way of the fight for freedom. I am not likely to have that belief easily and, if I have it, you shall have ample notice so as to enable you to wean me from it. I know your worth. You have very able young men and women, as selfless as I would claim to be. You are all hard working and possess great energy and you impose strict discipline on your

workers. All this I prize and admire. I would not easily lose such a force because of any preconceived notions of mine.

If I have been inordinately long in dealing with your answers which you sent me so promptly, it was because, as you are aware I was preoccupied and also because I was examining the evidence that was pouring in upon me unsolicited against your party. I asked them to let me use their names and they have given me the permission. I take the latest first, i.e., Babu Manoranjan Chaudhary. I did not even know that he was coming and when he did ask for an appointment, it was in connection with my acceptance of the Rajaji formula. But really he took the greater part of my time to tell me that the Communists had done great injury to the national cause. I am using a milder term than was really used before me. He has left papers which I have not been able to study. And he has also left with me a printed book which I have glanced through personally and it makes bad reading. The printed book can be seen by any deputy you may choose to send. Probably you have seen it yourself.

The other is Sjt Kaleshwar Rao of Bezwada. He also sent me a long letter from which I quote the salient passages. Add to this the numerous letters I have received from correspondents, known and unknown, all impeaching the party. I understand too that Shri Jayaprakash Narayan is also 'disillusioned'.

You have referred me to Mian Iftikharuddin and Shaukat Ansari. Both of whom I know well and for whom I have great regard. Unfortunately, Iftikharuddin is in Jail. I have never talked about Communism to Shaukat, because I know him and his wife Johra apart from their politics. But no general assurance from them will obliterate the evidence that has forced itself upon me and of which I have given you a bird's eye view. I will ask you not to dismiss all this evidence as so much prejudice. I would ask you not to be angry with your critics, however ignorant they may be. You will have legitimate cause for anger, if their criticism is malicious and conceived with a hostile intent. Lastly, I ask you to believe me that I want to impress the services of everyone of you for the cause of independence to be fought along the lines that I have chalked out for myself and the whole country. And if I am convinced that I am going astray and that yours is the correct method, I would like to be won over by you to your side and I will sincerely and gladly serve as an apprentice wanting to be enlisted as a unit in your ranks.

Yours sincerely,
M.K. Gandhi

Enclosure

'They enacted dramas in the commune in the theme of every one of which there was shooting, execution and bloody murder. The student members were made to act as executioners or murderers with hands painted red. They made it a rule to get cooked flesh every day in the commune and every member must sit at the common table. Hereditary vegetarians like Brahmins and Vaisyas including students were purposely taught to eat flesh so as to feel no abhorrence to violence. One Brahmin MA told me that he took to flesh eating because Gandhi was insisting on non-violence. Another Vaisya BSc told me that he got freedom from the use of wretched Khaddar from that time which he had been using for more than twenty years. He became an ardent champion of flesh eating. They held classes in the yard there. They were anti-Gandhi, anti-Truth, anti-non-violence, anti-Congress High Command and anti-God, and anti-Khaddar and anti-village industries and advocated sexual anarchy in their speeches. In one of these meetings one of their leaders declared Gandhi as the Rasputin of India.

There is a book written by Engels, which they studied, in which he advocates group marriages or twin marriages (two wives for two husbands jointly) and condemns monogamy as the bourgeois invention to suppress women's freedom' 'They act as spies and informers with the police against the ordinary Congressmen particularly against the nationalist students, youth and ryot workers whom they consider as their chief rivals. They got secret instructions from their party leader to use sticks and beat their opponents in order to suppress them, besides handing them over to the police even by giving false information'.

VI

P.C. Joshi to Mahatma Gandhi

Bombay

16 August 1944

Dear Gandhiji,

I had intended to send my reply to your letter of 30 July through Sajjad Zaheer. But he is leaving today instead of on Friday and I have been very busy the last week writing for this number of *People's War*. I am sending you an advance copy of this issue which contains my article. I hope you will read the article before you meet and talk to him. I am also enclosing some statistics about Bengal and the Punjab which, I am sure, you will find useful.

As far as our reply to your letter is concerned, I shall send it to you when you come to Bombay, as you are due here on the 19th.

With respectful greetings,

P.C. Joshi

VII

P.C. Joshi to Mahatma Gandhi

Bombay

12 September 1944

Dear Gandhiji,

Your letter of 30 July was duly delivered to me by Shri Hutheesing. Within 2 days of its receipt by us the one of us who deals with Mr Kanji Dwarakadas over labour problems was told in a casual conversation over the telephone that he understands that we had received your second letter and that you had accepted our explanation regarding our finances, but that you were now inquiring about our finances, but that you were now inquiring about our morals. I hope you understand our own reactions to the way the problem of correspondence with us is being dealt with by your Secretariat. In several papers messages have appeared that give the substance of your questions to us but not our answer to you and make insinuations. We have kept the Press at arm's length so far.

In public life there is a code and in our national movement we all take a particular pride in the fact that we observe a higher code than in the public life of other countries. I am saying this not only because we feel bad about it but because it brings discredit to our national movement of which you are the living symbol.

I may as well give in the very beginning, our reaction to your letter as a whole. If my own father had written to me what you have written, I would not have answered his letter and I would never again have gone to meet him. I am writing to you because you are the nation's Father, it will be unpatriotic on my part to get angry with you, even when you insult and humiliate us. I

know you don't mean it but your ignorance of our views and your prejudices against our Party are so great that you don't even realise what you are writing. I would request you to show the copy of your letter to me to Mrs Naidu and Sjt Bhulabhai Desai and C. Rajagopalachariar and hear for yourself if they do not also agree with me that I am perfectly justified in so sharply reacting to your letter.

I will not take up the political part of your letter where you think that our policy is pro-Government. I do not hope to convince you through letters on the point, and you yourself say that our policy is not the basis of your prejudices against us.

We cannot discuss political issues objectively as long as prejudices persist.

I am not waiting for the day when the New Delhi archives fall into the Nation's hands, they will tell you what the Government thinks of our present political policy!

Most of the newspapers have been given relief about paper quota against recent heavy restrictions. We also applied to the Government. I am enclosing copies of letters which will tell you that the Government has not given our Journals and Publishing House the relief which most of the 'nationalist' ones have already secured. This much about your fear 'I suggest that the title 'People's War' is highly misleading. It enables the Government in India to claim that at least one popular Party considers this as "People's War."

I will discuss political issues with you only when you feel you have no more prejudices left and you consider us to be as honest as you claim yourself to be.

We have been thinking hard what should make you so hostile towards us and the root lies in your own mistaken understanding of what communism is. You are fundamentally a religious person and have an ethical code. You relate your fundamental religious beliefs to your political work. You seem to think that communism means that 'the end justifies the means' and therefore that the communists are capable of any opportunist policies and any vile trick if they think these will serve their ends. Such a belief about the facts of communism makes you lend your ears to any slander against us.

By the way this is an outmoded slogan against us and educated persons in Europe gave it up after the twenties. I used to hear it often about ten years back. I meet hundreds of intellectuals and non-Communist patriots but I hear it no more.

I do not want you to take my word for anything, but I do want you just to spend a little time studying communism from the ethical angle itself. You know the Dean of Canterbury, you have stayed with him. He is your friend and also ours. He is an intensely religious person. His religious beliefs have led him to become our friend. He is not a Party Member but a very good sympathizer. He is on the Editorial Board of the *Daily Worker*, British Communist daily. He has written on problems from a religious-ethical angle. I would earnestly request you to read his book *Socialist Sixth of the World* and his pamphlet, 'Marxism and the Individual', (printed in India as the second part of 'The Heritage We Acclaim'). They will help you to see that we Communists are very 'religious' in the best sense of the word, even though we profess adherence to no religion. We try to conform to a moral-ethical code which religions preach but whose followers never practice and more than that, our moral code is more strict and demands greater material sacrifices and life-long self-education, and very hard practical work in the daily service of the people.

I would like to hear from you what you think of the Dean's writings and if they have helped you to understand us better. You have been gracious enough to promise that you will read whatever I recommend. We regularly send our weekly to you. I would request you to glance through it and every week read any bit that catches your eye and after 3 months let me know again if you still think we are woolly in the head and unpatriotic. Send me back any single para that you think helps the government and hurts the people.

You accept my answer about our finances and hold the position to be 'completely satisfactory'. I sent you categorical answers on the other points and I enclosed documents and yet you think that you cannot give a 'categorical reply'. You appreciate them but say 'if I was free from prejudices I would have no hesitation in accepting your answers'. It hurts us more than you can imagine to read that our nation's leader pleads prejudices as standing in the way of examining slander against a young patriotic party.

Mud-slinging at political opponents is an old weapon of those who have lost faith in the people and given up all moral values. Just as the bureaucracy attempted to use that weapon against you, challenging your integrity and accusing you of pro-Japanism some CSPs and Boseites are using it against us. You are getting letters and documents against us as part of a well-organised campaign against us by these parties. They have tried out in their own localities all the slanders that they are now regaling to you and failed. After your release they are trying to prejudice you.

In this they are helped by the prejudices of many honest Congressmen against us. You yourself, it seems, are puzzled as to why some honest Congressmen should be so passionately anti-Communist. The reason is not far to seek. Since 9 August we stuck to our convictions and refused to join the sabotage campaign because we were convinced that these were against the interests of our country. We campaigned among people and invited their wrath upon our heads. A section of Congressmen misinterpreted our policy as being against the Congress and the nation. Subsequent events have shown it was not so. Their subjective anger against us, political intolerance and refusal to concede patriotism to those differing from them made them sad victims of CSP propaganda. The situations often so tragic that while our entire Party defends the Congress against charge of pro-Japanism, they slander us as the enemies of the people.

I will quote but one instance of political intolerance in Congress ranks and that in connection not with ourselves. Quite a good part of the middle ranks of the Congress think even now that Mr Jinnah is an agent of the Government and you are ill-advised in negotiating with him. They cannot for their life believe that there are patriots inside the League also. This same kind of blind prejudice is displayed towards us. Yet we are confident that we will win the confidence of honest Congressmen more and more by working with them and as they will be helped by life itself to live down their prejudices.

If you enquire into the bonafides of the persons who have written to you, you will find that they are those who organised or supported the post-9 August sabotage campaign or have been intensely prejudiced against us by these people.

They are bitter against us because we opposed sabotage and exposed them not only in words but in practice.

After your letters from jail and later statements they cannot attack us politically and thus are reduced to mean tricks.

I have yet to come across a person whom anyone will call a patriot who will utter to my face the slanders that seem to have reached you and who will have the courage to repeat them before the Congress and League leaders of his own district.

I would have expected you to tell the persons who seem to give you so much 'evidence' (which I consider to be slanders) that if all that they say about the Communists is right, it should be the easiest thing for them to wipe us out in their district and that they need not bother you about 'Communists' who on their own report are a gang of unpatriotic degenerates. This is how I would like the National Father to act, who has a very large family to look after.

You have referred me to two cases. I will take them one by one:

A) Re: Babu Manoranjan Chowdhury.

He had seen me before he met you. He came to our office with the uncle of my wife who was an old friend of his but sat in the waiting room fearing that I would not meet him. When the Uncle told me that he wanted to meet me, I invited him in for a talk. He congratulated me for marrying 'the best Bengali girl' and made me blush. He told me that in his own district Noakhali the 'best workers' are inside the Party! He complimented me for building up 'the best organised Party' in India! And a lot more in the same strain. In the end he told me that he does not agree with us on all points though he admires my 'powerful writing'! I had not met him before and was just polite and pleasant to him.

This person comes to you without an appointment. (He was a scout for Dr Shyamaprosad and his courier.)

He asked for an interview over the Rajaji formula, but took the 'greater part' of your time telling you that we had 'done great injury to the national cause'. (He was preparing the ground for Dr Shyamaprosad to meet you and testing out what standing the thrice-cursed Communists had with you.)

He has left papers with you which you have not been able to study.

He has left with you a printed book. You have not given me its title, but I guess that it is likely to be Kalyani Bhattacharya's *War Against the People*. I have not read the book but only glanced at it and seen through the cartoons. When I received it sent a wire to our Bengal Committee if it should be answered in the *People's War* and I got the answer that I need not bother because it had been withdrawn from circulation as all decent Bengalees who read it felt disgusted over it.

What does the book say? It states that I am Maxwell's boy and insinuates that our girl comrades in Bengal are like prostitutes. What is the evidence of facts? None, but through the book the allegation is made that Maxwell pays me and my Party; the rest of the book consists of verbal decoration around this theme. You have yourself seen through the 'paid-Government-agent' slander. I will take the answer to our food policy being pro-government later, but what is the positive call to the people that this book itself gives?—food riots, 'revolution', just what a Jap agent in Bengal would advocate. The book was banned after a while and so far as I know, not one Bengali journal protested against ban!

I will take the author of the book first. She did not write the book herself; I know it for a fact that Dr Shyamaprosad got it written and paid for its publication.

Now I come to the contents of the book. It is an answer to a series of articles I wrote on the first Bengal famine, in the *People's War*; they created a sensation in Bengal and Sjt Bhulabhai Desai told a comrade of ours that I have helped him to get a clear picture of Bengal famine for the first time. The articles were later reprinted into a pamphlet which became the best seller and went into two editions within two weeks. In those articles I exposed Shyamaprosad as being a hoarders' man in policy and a communal factionalist in practice. And this pamphlet of Kalyani Bhattacharya was his 'reply' to mine.

I don't expect you to study the Bengal famine and its after-effects; you are busy dealing with the basic national political issue by meeting Mr Jinnah and if it comes off, I know you would have done your bit for Bengal.

I will give you a reference that you will find amply satisfying, you know X. I got most of my factual data from him, when he saw the articles he agreed with my analysis. During my next visit to Bengal he invited me to stay with him for a while and we became still more friendly. He is a Bengali, a patriot, a scientist and a statistician. Please send him Kalyani Bhattacharya's pamphlet and ask him what he thinks of the pamphlet and also what he thinks of what we write in the *People's War* on Bengal's food. After you have read his answer you will understand why I am so indignant.

By the way, several of his students and relatives are in the Party. He and his wife, know several of our Party boys and girls. I would like you to send by hand copies of your two letters to me and my answers. I am confident that he and his wife will tell you that you are letting your leg be pulled.

I could give you any number of references in Bengal, of the best sons and daughters of Bengal form every walk of life but I think one is enough.

Dr Shyamaprosad and his men are campaigning against you in Bengal. We are not only supporting you but putting faith and courage into Congressmen to get and fight Dr Shyamaprosad. And yet you ask me to 'explain' etc. and you lend your ears to Dr Shyamaprosad and his men!

If you trust Dr Shyamaprosad more than me, I would request you to put us both to the test of the verdict of the people. I will go down to Bengal and let both of us organise mass rallies under our own banners and on our own political policies. He through his Hindu Mahasabha and I, through our Party. In Calcutta our meeting will be twice the size of his and in the districts four to ten times his meeting. I am a non-Bengali and a bad speaker while Dr Shyamaprosad is a great demagogue. I will make your delegate see mass rallies in the villages of Bengal the like of which only you could see if and when you go to that unfortunate province.

B) Re. Extract from Kaleshwar Rao's Letter

If you showed it to any honest person who knows anything about communism and has at all seen the Indian Communists at work in any part of India he will tell you that it cannot but be all lies.

Rajaji has been to our Commune and dined with us. When I told him about our food jocularly that we are trying to beat the old man (i.e. you) at his own game, he told me that my food was more *Satwik* than yours!

Gelder has eaten with us on a Saturday when we get our weekly mutton-curry and also on week days when we have the plainest of vegetarian meals. He is a great admirer of yours. You casually ask him what he thinks of our food and the way we live.

Mrs Naidu has been a poetess and a great lover of our culture. She knows our poet comrades, she has seen our boys and girls dance and sing. You ask her what sort of culture we go in for and what we are doing for Indian culture.

Our Central Cultural Squad is rehearsing a new programme. While you are in Bombay you can drop in any time, unannounced. I am confident that it will make your heart swell with pride to hear them sing and dance, and you will like to hug all the boys and girls. They rehearse from 8-12 noon, and 2-7 p.m.

All the foreign correspondents assembled in Bombay to cover your meeting are anxious to see the squad at work to catch a bit of Indian folk-culture. When any of them comes to you at Wardha later you ask them what they think of what they heard and saw performed.

All the above is only to help you to see how much Kaleshwar Rao has wronged us by writing that letter to you.

But you are a lawyer too. I would ask you to call our Andhra Party leader, Sundarayya and Kaleshwar Rao and you talk to them both together on the letter and I hope that in 15 minutes you will find out who is a true son of Andhradesh and who a better votary of truth.

If you find you cannot come to any conclusions I would ask you to 'organise' a proper trial before the Andhra people. You could appoint as the 'judge' either Rajaji or Mrs Naidu, respected national leaders and not prejudiced against us. I guarantee an attendance of 50,000 peasants, men and women of all generations with their children and perfect discipline and order. Let Kaleshwar Rao make the 'Prosecutor's' speech and produce his witnesses. Sundarayya will produce no witnesses but only make a speech. And let the 'Judge' record for you the verdict of the 'jury', the people who gave birth to both Kaleshwar Rao and Sundarayya.

What has hurt me most in his letters and your sending it to me is where he challenges our sex-morals. I would like you to know that it is only in our Party that we seek to guide, criticize and mould the entire life, both personal and political, of our members. The punishment inside our Party for sexual depravity is summary expulsion. I would also like you to know that we have perhaps a higher percentage of women in the Party than there were even in the Congress itself and that we have a large number of women whole-time workers from elderly *Mas* to young unmarried girls than the Congress ever had. I hope you will now see that when any slanderer attacks our sex-morals we feel as strongly as common person will when he hears his mothers and sisters filthily abused.

What worth should be placed on Kaleshwar Rao's statement and how reckless he is in his allegation can be seen from his total distortion of Engel's book. *Evolution of Family, Property and State* is a scientific study of the history of human marriage and the development of property and State. In it Engels who with Marx was the co-founder of communism shows how historically marriage has tended to be more and more monogamic and how the earlier forms of marriage were discarded by society in its progress. In this connection he mentions Community marriage as a form which once existed in the infant period of human society. To allege that Engels, justified Community marriage is a base perversion, for which it is difficult to find parallel. At this rate any historical research will be impossible. Engels, on the contrary, laid it down that the progress in human marriage is registered by its evolution as a monogamic marriage—a statement which gives the lie to Kaleshwar Rao's distortion about Community marriage.

Wavell paid tribute to your 'intelligence', 'experience', and 'acumen' and recognised 'much ability and high mindedness' in those who represent the Congress. You rightly answered back that why then does he not trust you.

You write to me 'I know your worth. You have very able young men and women, as selfless as I would claim to be. You are all hard-working and possess great energy and you impose strict discipline on your workers. All this I prize and admire.' And just as Wavell does to you, you don't trust my word over issues that in any decent society are taken for granted.

Please realise what I must be feeling inside me when I find that you treat me and our Party in the same way as Wavell treats you and the Congress.

Secondly, have you ever cared to recall the words of the Communist delegates in the historic August AICC meeting? What did they beseech you to do? To delete the operative clause (the sanction clause) and replace it by acceptance of self-determination and immediate negotiations with the League; this in fact is just what you have done now.

What did they warn against? Just what happened immediately after your arrests what they had forecast in their speeches and what you repudiated the moment you got the chance from within the jail itself but which the people outside did not know. You repudiated sabotage from within the jail, we fought against it outside, when all those who swore by you had been swept off their feet. You asked Rajaji to go ahead with Jinnah and without knowing anything about you acceptance of the formula we popularized self-determination and Congress-League unity when the majority of Congressmen and Leaguers themselves lacked faith.

In conclusion, I did not answer this letter earlier because I was expecting you in Bombay. I did not send it as soon as you reached here because I did not want to intrude upon your time when we want you to give your single-minded attention to bring about an agreement with Mr Jinnah. I am, therefore, sending it on what is reported to be the last day of your talks with him.

I want you to read this letter at your leisure. I am writing to you for the last time on the subject of our bona fides. It is too humiliating to read what you send us and we see no reason why we should put up with it after having bared our breasts before you.

I will make to you an offer which in normal conditions we will consider below the prestige of our Party to suggest. You place your whole anti-Communist file before any patriot of eminence who inspires mutual trust, e.g., Mrs Naidu, Rajaji or Bhulabhai. These three are your old colleagues and known to us not to be prejudiced against us. Let me have a copy of the file and let them ask me for explanations on any point. I am sure after reading their report you will consign the anti-Communist file to flames.

I hope you will agree that I could do nothing more to convince you.

I expect an answer to this but if you are not satisfied, I hope you will at least spare us the silly stories that petty slanderers for political reasons send you. If you want our views on any political issue or you want us to undertake any particular service of the people you have only to send the word.

The more we find you failing to discharge your duty towards us as the nation's father, the harder we shall work to discharge our duty as the nation's sons. And one day, we shall have your blessings.

I hope you know that we do not have personal capacity inside the Communist Party. The letters that I have written to you have been written on behalf of the leadership of our Party which we are proud to say knows no factions and cliques.

With respectful greetings,

P.C. Joshi

VIII

Mahatma Gandhi to P.C. Joshi

Bombay

15 September 1944

Dear Joshi

Many thanks for your letter.

I do not mind the warmth into which you have been betrayed. I must apologise for the offence my language has caused you. You will believe me when I tell you that I wrote in all good faith. I could not come to the party if I did not disclose even my prejudices. I had expected appreciation for my friendly approach and frankness. Nevertheless I must continue my study of the party and its leaders.

I have accepted your advice. I placed your letter in Shri Bhulabhai's hands and asked him to instruct and guide me.

I shall not worry you directly with letter. I shall try to know you through the common friends you mention. Sarojini Devi is with Shri Bhulabhai. Rajaji is with me. I shall show your letter to him when it comes back from Shri Bhulabhai.

Yours sincerely,
M.K. Gandhi

IX

P.C. Joshi to Mahatma Gandhi

*Bombay,
28 September 1944*

Dear Gandhiji,

Your letter of 15 September was acknowledged in a slip to the Volunteer who brought it. I did not answer it earlier because I did not want you to give your mind to anything except your meeting with Jinnah Saheb. The talks have unfortunately broken down and I am, therefore, writing a few words.

I am sorry if the warmth of my letter appeared to you uncalled for. We were very much grieved to read what you had written and felt what I would call justly indignant. A Communist is nothing if not brutally frank. I did not expect you to tell me to appreciate your frankness; the whole nation knows it and if we did not share it I would not have entered into correspondence with you and written to you all that I did nor made the offers which I did.

We are anxiously awaiting the advice that Rajaji, Bhulabhai and Sarojini Devi give you on the slanders against our Party. In fairness to us and in the interests of the country you should not let the matter rest but make up your mind. We have no doubt that your next letter to me will put the slanderers in their place and call upon me to make good the promise to write to you on food, Muslims and international issues.

Our greatest desire is that you may lead the nation to its destined goal aright, we may have no chance to differ with you on practical issues. Our own earnest endeavour always is to earn the unstinted blessings of our great people whom we recognise as our real parents.

With respectful greeting,

P.C. Joshi

¹ Francois Darlan (1881–1942) was a French Naval Officer, and a senior figure in Vichy France regime. After German occupation in 1940, he joined Marshal Petain's collaborating Government. He was in Algiers when the Allied forces captured it. They made him the head of the French administration there till his death in a shooting incident.

² Pietro Badoglio (1871–1956) was an Italian soldier-politician. Though initially opposed to Mussolini, he later changed his mind and returned as Chief of Staff in 1924 and served in Africa. Following the Allied invasion of Sicily in 1943, Victor Emmanuel III dismissed Mussolini and appointed Badoglio as head of the Government. Later, following the Italian and German reverses, he fled and accepted the Allied protection, and signed the Italian armistice with the Allies. He, however, did not head the Government for long.



APPENDIX II

The Report of the Enquiry Committee appointed by 700 Detenus of Special Jail Tanjore and Prepared in December 1943 to Enquire into the Activities of the Communists and their Party and Considered by Congress Working Committee during September 1945

AICC Papers File No. G-23/1945-46, Part-I, pp. 41-52, NMML.

From

C. Bali Reddy,
Cumbum (P.O.) Kurnool District. (S. India)

To

Sri J.B. Kripalani
Member, Working Committee
Congress House, Poona

Dear Sir,

A Committee was appointed by the nearly 700 detenus, while lodged in the Special Jail Tanjore, to enquire and make a report on the activities of the Communist and their party. The members of the Enquiry Committee are well-known popular leaders of all the four Andhra, Tamilnadu, Karnatak and Malabar Provinces. I think two of them Messrs Kasa Subba Rao, well-known Editor of Madras and Dr K.B. Menon of the All India Civil Liberties Union are personally known to you. The other two gentlemen are Congress MLAs. The Committee conducted enquiries for nearly 10 days and took nearly 80 statements from the detenus of all the four linguistic provinces.

The report is very revealing and I hope it will help the High Command to know the real character of the Communist Party in India.

I, as the convener of the above-enquiry Committee, request you to go through the Report patiently, through it means strain and time on your part and also place it before the Working Committee before it takes up the 'Communist' matter for discussion.

I am sending separate copies to our Bapujee and other members of the Working Committee.

Thanking you,

Congress Assembly House,
Guntur,

Yours fraternally,

5 September 1945

Convener, Enquiry Committee

Report on Communist Activities

At the request of several fellow prisoners, we undertook an enquiry into the activities of the Communist party i.e. the party led by P.C. Joshi, in respect of which grave complaints and suspicions have been circulating in the jail for some time past. The procedure adopted by us has been to pool together the disclosures made by detenus in our midst who have had direct personal experience of Communist activities and on the basis of such disclosures, seek to arrive at an estimate of the real political character of the Communist party.

The period covered by our enquiry falls roughly into four parts, (1) happenings in the special jail, Tanjore, (2) At Allipuram camp jail, (3) At Cannanore Central Jail and (4) At various places

outside in different parts of the Province. Though in order of time, happenings in the Tanjore Special Jail come last, we shall start with them first, since they supply in a way the Genesis for this enquiry.

On 21 November, out of casual conversation, a sudden political discussion with some heat arose in the jail hospital. The participants were K. Obul Reddy (Kurnool), P. Sreeramulu (Guntur) and M.P. Narayana Menon (Malabar), G. Brahmaiah (ex-General Secretary, Andhra P.C.C. Kistna), V. Seetha Ramaiah (Guntur) and K. Subbareddy (Guntur) of these Subbareddy was a Communist. In the course of the discussion, he made a reference to the Fifth Column. Then the following talk ensued.

- Obulreddy: You speak of Fifth Columnists. Who are they?
- Subbareddy: Those who shout Tojo-ki-Jai, Subhas-ki-Jai and those that are pro-fascist and pro-Japanese and encourage subversive activities. We treat all these as Fifth Columnists. Even in this jail, I heard personally some people shouting Tojo-ki-Jai, Subhas-ki-Jai. All these are Fifth Columnists.
- Brahmatah: Who are the persons that shouted like that in this jail? Please tell us their names. It is necessary that we should know them.
- Subbareddy: Made no reply.
- Brahmaiah: Continued. In Andhra there are leaders like Pattabhi and Prakasam. Do you consider them Fifth Columnists?
- Subbareddy: No, we don't.
- Brahmaiah: What about Congressmen of your own district, Guntur such as Mr Sreeramulu and Sitaramaiah.
- Subbareddy: They are not Fifth Columnists.
- Obulreddy: What of Prof. Ranga?
- Subbareddy: We consider him and his group Fifth Columnists.
- Obulreddy: Then what about me?
- Subbareddy: You are a Fifth Columnist, because you belong to Ranga's group.
- Obulreddy: Do you agree I am a Congressman?
- Subbareddy: You are Fifth Columnist. Therefore, you are not a Congressman. You cannot be said to be a Congressman.
- Sreeramulu: You say Congressmen are not Fifth Columnists. But what about the writings in your Communist journals impugning individual Congressman?
- Subbareddy: Which Congressmen did we accuse of being a Fifth Columnist?
- Sitaramaih: Did not your party carry on propaganda against Kameswara Rao accusing him of being a Fifth Columnist?
- Subbareddy: Is it your idea that Kameswara Rao too is a Congressman?
- Brahmaih & Sreeramulu: Yes, Kameswar Rao is definitely a Congressman?
- Subbareddy: Kameswar Rao was expelled from our party. How can a renegade be a congressman?
- Brahmaih: If you consider Ranga and his group as Fifth Columnists, you may treat me and all my fellow congressmen as Fifth Columnists too. If Prof. Ranga is to be called a Fifth Columnist, I would feel proud to be called by the same title.

- Subbareddy: We cannot accept you as a Fifth Columnist, simply because you ask us to do so. It depends on our decision.
- Sreeramulu: What is your intention in dubbing certain Congressman as Fifth columnist in your papers? Is it not to hand over to Government those who have differences of opinion with you?
- Subbareddy: We consider it our duty to hand over to Government all those who are Fifth Columnist, who are pro-fascist, who encourage sabotage and who act against the British Government, which is fighting the common enemy. The slightest lapse in this work will be taken as a failure of duty on our part.
- Sreeramulu: Is this your individual opinion the opinion of your Party?
- Subbareddy: This is our party's opinion.

It was as a result of this acknowledgement that many who heard of it began to fear that the communist prisoners in the jail were really a set of informers, acting with the full support of their party to spy on Non-communist detenus and prepare secret reports to be eventually sent to Government. Hence their request to us to undertake this enquiry.

We now turn to events in Allipuram Jail. At Allipuram, copies of the *People's War*, the official organ of the communist party used to be regularly smuggled into the jail and circulated among some of the prisoners, but the issue dated 4 April 1943, was not circulated as usual and Congress prisoners knew nothing of its contents until student, released in May chanced on it outside and managed to smuggle a cutting taken from it into the jail.

This cutting was of an article bearing the sensational caption 'Fifth Columnists in Allipuram Jail—unmasked'. It is stated that in Allipuram Jail, there were about 1,600 political prisoners. Out of them, it alleged 12 were Congress Socialists, followers of Trotsky and members of the Forward Bloc. It insinuated that these 12 were working to forment pro-Japanese sentiments among the prisoners, that they exhorted those due to be released to carry on sabotage and other destructive activities, that they claimed that these activities had the sanction of an underground congress committee, and that on Independence Day, they tried to persuade the prisoners to pledge themselves to these activities. It was further alleged in the article that these persons openly rejoiced at the bombing of Calcutta as being the harbinger of a impending Japanese invasion. The article then described how genuine Congressmen and Communists were trying to counter-act the pernicious pro-Japanese propaganda and were conducting political classes. It charged the Fifth Columnists with spying on these classes and reporting in despair to the jail authorities. The article wound-up with the statement 'that these persons are lead from one step of treachery to another'.

Many copies of this article were at once made and circulated among the prisoners. In every block protest meetings were held and an explanation was demanded of A.S.K. Iyengar, who was the whip of the Communist party in the jail and so should have had prior knowledge of the article. In the meeting that was held with B.S. Murthy (Congress MLA) in the chair, the 'B' block prisoner demanded that A.S.K. Iyengar should attend and offer an explanation. At first Iyengar refused to comply but the imagination of the prisoners was so great that they clamoured that he should be bodily removed from the cell and brought to the meeting.

It would appear that on an earlier occasion, the general of 'B' class prisoners happened to enquire into the case of a particular member charged with a trivial breach of general body rules, but the member concerned failed to turn up at the meeting. A.S.K. Iyengar was then most angry at this and demanded that the defaulting member should be bodily removed and brought to the meeting.

Now the 'B' class prisoners sought to apply to A.S.K. Iyengar himself, a procedure which he had recommended against another on a former occasion. This had the desired effect and eventually persuaded Iyengar to attend the meeting. There in answer the chairman's demand for an explanation, he read from a slate on which he had written the passage down, 'I feel deeply sorry that you should have been hurt by this article.' He then sat down. His reply only added to the hearer's resentment, since it implied that he regretted not the article but the reader's susceptibility to hurt on account of it. It was suggested that A.S.K. Iyengar should send a correction to *People's War*. But he evaded saying 'after my release, I shall take the earliest opportunity to get into touch with the *People's War*. This did not satisfy anybody as it was felt that he could if he chose to get into touch with the *People's War* even while a prisoner, and in fact the article itself purported to convey information from insider prison. A student due to be released in few days offered to take his correction and deliver it personally at the *People's War* Office, but Iyengar replied 'I am sorry, I cannot oblige,' saying this he started to leave the meeting, but the chairman objected to his leaving in that manner. He then sat down saying 'I shall submit to this pillory.' There was further indignant insistence for satisfactory explanation and reparation, in the course of which A.S.K. Iyengar suddenly left the meeting exclaiming dramatically 'you want my blood—have it!'

The meeting then passed a resolution condemning the conduct of A.S.K. Iyengar and denying him on the morrow, when he was to leave the jail, the usual farewell function. Except a few communists, none bade him farewell and his departure next day was greeted with shouts of 'down-down Fifth Columnists' from 'C' class prisoners crowding round the bars.

Among the remarkable statements to which Communists gave publicity in their journals was one to the effect that Congressmen in Allipuram Jail saw the error of their programme, after publication of 'Gandhi-Linlithgow' correspondence on the eve of the fast and began to approach the Communists in jail for right political guidance and enlightenment. We are assured by Sri Mothey Narayanarao and several others from Allipuram that this was bare-faced lie and no congressman ever approached any Communist in the manner reported.

During the individual civil disobedience days, Communists in Allipuram jail bitterly criticised Mahatma Gandhi for not having started Mass Civil Disobedience. Mohan Kumaramangalam while in jail used to be most unsparing in his attacks on Gandhiji. He used to say that Gandhiji was a creature of vested interests and an agent of British Imperialism. He characterised individual civil disobedience as a mere farce, a suddhi movement, designed to restore the prestige lost by Congress through office acceptance.

Within a few months after this, Communists in Allipuram were found urging their fellow prisoners to celebrate the 'Tunisia-Day'.

There is evidence of a regular Anti-Gandhi drive undertaken by Communists in Allipuram to the utmost possible extent permitted by environmental circumstances, openly if practicable, by stealth if necessary. The unscrupulousness with which this drive was carried on has few parallels in our political annals. Some estimate of its nature may be gathered from the following accounts supplied to us by a young peasant prisoner of 19 who was an inmate of Allipuram a year ago.

'In December 1942' so runs his statement 'there were some 100 of us in the Fifth block in Allipuram Jail. Almost all of us were unversed in political lore, amongst us, Radha Krishnamurthy of Guntur, Kondaiah of Nellore and several others used to say that they were communists. At that time Kondaiah came to me and other young fellows like me and said 'Dear boy, you are wasting your time here. It is not good that you should waste your time thus. You are young. You have to acquire political knowledge here, so that when you go out you may be able to render immense service to the country. There is one Radha Krishnamurthy here who is an expert in political matters. Go to him and receive political instructions, thereby you will developed into leaders.' On

hearing this myself and another boy went next day to Radha Krishnamurthy. He was conducting a class. There were some 15 in the class. Radha Krishnamurthy first taught us how creation arose and the human race took its birth. Then turning into state affairs in our country he said Gandhi is a traitor to the country. He is running the country with his barren philosophy. He is an agent of the rich. This fraud saint is deceiving all that are bewitched by his lures and causing destruction in the country. In the movement many old men and women have been cruelly killed because of him. So far as he is concerned he has not suffered a scratch, but enjoys the company of his wife in a palace. After teaching thus he questioned us as to what kind of man Gandhi was. He tried to make us repeat that Gandhi was traitor to the country. Some used to repeat his words, others kept quite. As my father had taught me that Gandhi was a God-like man, I did not relish what Radha Krishnamurthy taught and stopped going to his class. Several others also could not bear this kind of teaching and gave up the class. Many in our block had not enough to eat. They could not get a smoke. They were greatly disgruntled on account of these privations. Discovering this, the communists used to bribe them with beedies to make them attend their classes. To those who attended their classes, and agreed to do their bidding, they gave postal envelopes and helped them to write letters secretly. They gave them pencils and note books to take down what written statement taught in the class. Regular attendance in their class was rewarded with beedies. Non-smokers were rewarded at the rate of annas four a week and were helped by them to get whatever articles needed by them in lieu of this allowance. Some of the Congressmen came to know of the efforts of the communists to corrupt the minds of the young against Gandhi and persuaded them to boycott the class. As a counter move the Communists were making a nuisance of themselves and with noise and disturbances prevented them, the Communists, from having any sleeps in the nights.

At Cannanore, unlike in other prisons, communists were in a majority. They, therefore, came more into the open there than elsewhere. Some forty prisoners were transferred from Vellore to Cannanore on 18 March 1943, and the contingent contained a good sprinkling of Communists. We gather that in the course of the train journey, when the Congress prisoners raised the slogans of Mahatma Gandhi-Ki-Jai, the Communists objected saying that it was wrong to raise slogans to the glory of individuals. They also objected to the slogan of 'Down with the British Imperialism'. Finding all remonstrance in vain a Communist went to the extent of seeking the intervention of the escorting police sergeant to put down the shouting of the objectionable slogans.

At Cannore the activities of Communist Alluri Ranga (Rangareddy) who became ... came greatly into prominence. This Ranga objected to the wearing of Gandhi cap by Congress Prisoners. He kept the sewing machine in his custody and would not allow its use for stitching of Gandhi caps. Hand stitched Gandhi caps were then used and many Congressmen made their appearance in the dinning hall dressed in the Gandhi cap. Ranga (Rangareddy) chose to interpret this as an attempt to humiliate at him. The Communists greeted it with raillery and circasm. One Guruswamy said that it looked like the cap wore by person filing insolvency petitions. Another Communist P.B.S. Monkey remarked that it made one look like a sweetmeat seller. Ranga (Ragareddy) jibbed that it looked like a monkey cap.

To more than one prisoner, Alluri Ranga confined at Cannanore, that while at Vellore, he had been regularly intercepting letters of prisoners from one yard to another and keeping copies of some of them. He told several detenus that he interrupted in this way a letter written by Prof. Ranga to Balireddy of Kurnool while at Vellore. It is alleged that in that letter Prof. Ranga asked Balireddy, not to lose heart, the Japanese would come and rescue them in a short time and it was only in a free India that they would all meet again. Alluri Ranga professed to have with him the original of this letter and wanted to show it first to one person and then to another. The fact remains however,

that he has shown it to nobody. Yet his latest version is that he had handed it over to his party at Vellore. At Cannanore, several Communists who are now keeping their light under a bushel blossomed as political preceptors. At one of the meetings, the Communist Chellaiah explained that he has the real belief in Khaddar which resembled the shroud wrapping in a corpse but he wore it to pass off as a Congress worker in the eyes of the public and of genuine Congressmen. On another occasion Communist Mruthyunjayudu compared India to a child and Sdhas Bose to one who wanted to kill the child and cook the flesh. The Fifth Columnists, he declared helped him to dress the coded flesh.

The Communists wanted to celebrate 8 August as a day of festivity with mutton pulao and it was only the vigorous opposition of the non-communistic section that made them abandon the intention. They did however stage a drama on that day full of insulting in undoes at the expense of the Congress. It was outrageous, even the warders seem to have been disgusted. The burden of propaganda throughout their stay in Cannanore was that Congress must be destroyed.

Reports of communist activities outside the jail, that have reached us are staggering. At Coimbatore for example, their one anxiety all along would seem to have been more to undermine Congress influence, than to genuinely befriend the workers. To serve this end they some times joined with the Mill-owners, sometimes with the Justicites and at times with the police Rowdyism with particular malevolence directed against the person of the late N.G. Ramaswamy has been according to all accounts, a conspicuous feature of labour activity in and around Coimbatore. We are even informed that they collected money on false pretences and mis-appropriated it, refusing to return it to the disappointed subscribers on demand.

Cases where the Communists have acted as agents provocateur have been reported to us by several detenus. Apart from others reports, the inwardness of their doings is revealed in a petition addressed to government by the Communists themselves from Cannanore jail. They declared in this petition that they had no connection with the present movement, that they had converted many who had intended to join it, that they had dissuaded labourers from launching strikes on the arrest of leaders, that they had taught the labourers that they should strike for his proper wages and hence they should not strike now while proper wages were given. They claimed that their party has checked impetuous students and taken to keeping watch on railway lines. Both from their own mouth and others' testimony the Communists thus stand condemned. With opportunism and economism, terms used by Lenin to express withering contempt, they have sought to nullify the consolidated work of years on the path of patriots. It arose national and political consciousness among students and workers and striven to make them tame, spiritless, nervous and self-seeking. They have thus become a demoralizing force in our national politics.

At Badagara, in Kerala, seeing a big crowd collected on the road, the Communists rushed to the police station and reported that the crowd were about to loot the treasury. The police got panicky, rushed to the spot and charged the innocent crowd with lathies causing many injuries. In the same town one particularly unscrupulous Communist, M.K. Kelu, actually called Mahatma Gandhi himself a Fifth Columnist at public meeting.

In Guntur, we were informed that Communists joined students' organisations and betrayed them by giving information to the police. A deputation of the Communists waited on the District Magistrate of Guntur, and urged him to issue an order under Sec. 144. They gave information against Prof. Ranga, N.V. Chelapathi and A. Kameswarao, charging them with being Fifth Columnist and agents of Japan.

At Cumbum (Kurnool Dt.)—when a students strike was about to be launched in August 1942 Communists appeared on the scene and sought to inflame communal sentiments among

Muslim students, saying that Gandhiji was protecting the cow, while Jinnah was for killing it. So, how could the two Communities combine for joint action.

It is clear there has been a sort of competition in espionage between the Communists and the CID throughout the province. In several cases the police seem to have been reprimanded by their superiors for having allowed the Communists to steel a march over them.

We now turn to an examination of the Communists' conception of Fifth Column. The whole conception appears to us not merely ridiculous but fraudulent. A subject people who are inspired by the goal of freedom and are pledged to strive for it at any cost can have no loyalty for a foreign ruling power. The Communists now seek to impose such a loyalty in the name of Anti-fascism. But yesterday they shouted a different slogan and condemned the Congress for not being forward enough. Today, those who have learnt the lesson of that teaching but are unable to follow them in their summersault run the risk of being denounced by them as Fifth Columnists. The revolutionaries of yesterday have become reformists and worse still counter-revolutionaries today. They have become not merely allies but hired *assasains* of British Imperialism, striking not with the knife and the bomb, but the far worse weapon of slander and secret information. Publicly they plead for the release of Congress leaders but who can reckon how many Congressmen they possibly contrived to send to jail. We are not against communism and we recognise that there may be some among the party genuinely inspired by the ideals of Marx and Lenin. But today the policy of the Communist party is Communist only in name. It has treacherously betrayed both its creed and its duty to the country. We feel impelled to declare that the party is unreliable, unscrupulous, treacherous, unpatriotic and has become indeed a Fifth Column of Imperialist planted in the midst of our body politics.

T.A. Anantachary, B.A., B.L., MLA

N.M.R. Subbaramon, MLA

Dr K.B. Menon, Secy, All India Civil Liberties Union.

Khasa Subbarao, Editor, Indian Express.

Special Jail,

Tanjore

December 1943

Chapter 8. States Peoples' and Workers–Peasants' Movement

SECTION A: STATES PEOPLE'S MOVEMENT*

1. Political Activities in Indore

State Central India: Movement in the State Extract from Fortnightly Report of the Indore Residency for the year 1945, Crown Representative Record (CRR), Reel No. 171, NAI.

A partial hartal was observed in the city on 'Independence Day' (26 January). This Day and Responsible Government Week were jointly observed from 21 to 27 January by the local Congress Committee and the Prajamandal....the main items of which were a flag salutation ceremony, hoisting of tri-coloured flags on houses, meetings at private places to explain the significance of the Day, speeches, poets-conference, mushaira and the recitation of 'Vande Mataram' and other national songs....A partial hartal was observed in the city on Agitation Day (9 February).¹ The Working Committee of the Indore Rajya Prajamandal held a meeting on the 11 February and resolved that in future no Prajamandal workers should accept any honour or title from Government....A partial hartal was observed in the city on 'Agitation Day' (9 March). The Nagar Congress Committee of Indore have, it is believed, enlisted so far about 3,000 members. Mr Gandhi's statement on the reported rejection of the petition for mercy on behalf of the accused involved in the Chimur and Ashti murder case was the cause of a partial hartal in the city on 3 April and a meeting was held by the Indore Nagar Congress Committee in the evening....A number of the resolutions were passed of which the following are typical:

1. Public bodies should take up the 15-point constructive programme laid down by Mr Gandhi.
2. World Peace cannot be maintained unless all nations are free and equal. India should be given responsible Government and to that end the public of Indore pledge itself to be wholeheartedly with the people of India.
3. Cultivators should not be forced to purchase National Saving Certificates.
4. Municipal presidents should be elected.
5. There should be equal civic rights for all citizens and all restrictions regarding printing, publishing, speeches and meetings should be withdrawn.

* Unless specified, the source is Crown Record Representative (CRR), NAI.

6. Grain arrangements should be entrusted to the public.
7. At least 18 yards of cloth should be given to every individuals etc. etc.

¹ The observance of the Agitation Day on 9 of every month was discontinued on the release of the members of Congress Working Committee in June 1945.

Indore State:

(i) Fortnightly Report for the Period Ending 15 August 1945,
Reel No. 171, CRR

Independence Week was observed by the local Congress and others from the 9 to 15 of August 1945 as follows:

1. A flag salutation opening the week was attended by about 200 persons. Bhai Kotwal unfurled the Congress flag and after Purushottam Naureia had read out the August 1945 Congress Resolution the former addressed the gathering and gave an account of the Congress leaders. He begged the audience to take an inspiration from that Day and laid stress on following the constructive programme of Mahatma Gandhi. The Cloth Market and shops in Topkhana and Krishnapura main road were closed on 9 August.
2. In the evening Baijnath Moyade addressed a meeting of students about the struggle for freedom. He exhorted the audience to observe the instructions of Nehru and Azad in regard to the maintenance of discipline.
3. On 11 August a meeting of women was held by the Mahila Sabha in which Pukhrajibhai Jain, who was in the chair and two other Congressmen gave an account of the 1942 agitation.
4. On 12 August a Kisan Sabha meeting was convened at Rao (Holkar State). Bhai Kotwal observed that although the agriculturists toiled throughout the year they had not enough to eat and no money to buy clothes. He attributed this to the policy of Government which only desired to extract as much money as was possible from them, and did little to ameliorate their condition.
5. On 14 August, in connection with 'Independence Week' the local Congress arranged for charkha spinning from 8.30 a.m. to 8.30 p.m. On the last day of the week viz. 15 August flag salutation took place.

In the *Praja Mandal Patrika* of 10 August the President of the Praja Mandal instructed all the Branches to observe with full enthusiasm 19 August in commemoration of the *Non-Violent Struggle* started in the State in 1942.



2. Gwalior, Rampur, and Benares States

Extracts from Fortnightly Reports of the Gwalior Residency, Gwalior, Rampur, and Benares, submitted by Resident at Gwalior and for the States of Rampur and Benares, Crown Representatives Records, NAI.

(i) Fortnightly Report of the Gwalior Residency for the Fortnight Ending 30 April 1945

No. 617-5/25-45
Confidential

Gwalior

To celebrate the National Week [April 6-13] meetings were held under the auspices of the Sarwajanik Sabha at Lashker, Bhilsa, Shivpur, Morena and Ujjain. The attendance of the meetings was meagre. Speakers generally laid stress on the need for the communal unity and for strengthening the Sarwajanik Sabha in order that its representatives may be successful in the forthcoming elections for the State Legislature. Speakers also appealed to His Excellency the Viceroy to commute the death sentences of the Chimur and Ashti convicts.

Rampur

There was some unrest among the spinners of the Ruza Textiles of the question of bonus and increase in dearness allowance. They submitted an application to the mill management and were informed that orders would be passed after a meeting of the Board which is to be held shortly. No further development has been reported so far.

(ii) CID Report for April 1945, Gwalior State (Extracts)

History of Freedom Movement Unit Record, File No. 52/3 R IV & V, NAI.

The Sarwajanik Sabha was active again this month throughout the State. In Mandsaur District a meeting was held under the Presidentship of Shri Chotamal. Shri Rameshmar Garg addressed the meeting, and dealt mainly on the shortage of food grains and Kerosene, and blamed the Government for this short-coming. Shri Ram Swarup appealed to the audience to join the Sarwajanik Sabha and work for the attainment of Responsible Government. The President demanded responsible Government in the State and appealed to the audience to join the Sabha. At Bhinda meeting was held under the Presidentship of Shri Harsewak Mishra. The address given by Shri Nath Sharma, again dealt on the mismanagement of the Government, owing to which there was a shortage of wheat, sugar and kerosene oil. He wanted the State control on these commodities to be brought to an end. Shri Rameshwar Dyal supporting the speaker, appealed to the audience of 30 to work for responsible Government.

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At Bhilsa a meeting of the Sarwajanik Sabha was held at Bara Bazar under the Presidentship of Krishna Rao Detey, the attendance was about 1,000. Hirway Vakil talked against the proposed reforms of the State. Vedicharan said that they were talking of reforms while the whole of India was making attempt to attain freedom. He said that the Government of India adopted repressing measures to suppress Congress agitation for freedom. It is therefore their duty to make efforts to cast off slavery.

The following resolutions were passed by the Sarwajanik Sabha at the Bhilsa:

1. Contesting the forthcoming elections of the Raja Sabha and Praja Sabha.
2. Demanding cancellation of orders on the externment of Shri Kishore Bhai of Shajapur.
3. Sending a public representation on behalf of the Indian States to the forthcoming San Francisco Conference.
4. Forming a committee consisting of Gokhale Vakil, Shiv Shankar Rewal, Jaganath Prashat Miland, Gopi Krishna Vijayavargiya, to select members who will stand from the Sarwajanik Sabha platform.

The month started with the celebration of 'National Week'. 'Prabhat Pheris' were taken out in nearly all district Headquarters. (Bhilsa, Shivpuri, Lashkar, Morena). At Lashkar a meeting was held on Sarafa Bazar, Shri M.V. Ghule presided.

Bhikam Chand Jain said that the Government of India did not grant us Independence in spite of their promises to do so. He also criticised the repressive measures adopted by the British Government in order to put down public agitation for freedom.

Referring to the reforms recently announced, he said that the number of elected members to the Praja Sabha was so small that they could not work effectively in two houses and as such the reforms were entirely useless. Others who addressed this gathering were Dr Sadanand, Nathu Prashad Mishra and Shri Rajendra Singh.

A resolution requesting the Viceroy to commute the death sentence passed on the 7 accused of Chimur and Ashti.

At Morena the following resolutions were adopted.

1. To request the British Government to commute the sentences on those accused in the Chimur and Ashti case.
2. To support the resolutions passed at Bhilsa regarding reforms.

A meeting was held at Morar under the Presidentship of Bhajanlal. Speeches by Shri Bhikam Chand Jain and Dr Sadanand stressed the importance of a united attempt to gain Independence. Criticism of the newly announced reforms by the Government and reference to the Lathi charge resorted to by the Gwalior Government in 1942 was made, and condemned.

Shri Yeshwant Singh Kushwah, Shri Devlal Rudra and Shri J.P. Millind had addressed the gathering. The following resolutions were passed.

1. Commuting the death sentence in the case of the 7 accused in Chimur and Ashti case.
2. Cancelling the orders on the externment passed against Kishore Bhai and Masood Ahmed.
3. Demanding adequate compensation for the land acquired by the Birla at Nagda.

On 13 April 1945 National Week was celebrated. Shri Devlal Rudra said that the mere taking out of processions and delivering speeches could not bring them success. They should follow the footsteps of those who have sacrificed their lives for the country. He later appealed to the members to become members of the Sabha. Shri Sarwate and Uddhav Kumar also spoke. At Shivpuri, a meeting was held under the Presidentship of Shri Vedicharan Parashar and the following resolutions were passed.

1. Demanding adequate supply of Sugar, Kerosene oil.
2. Cancelling of taxes levied on Pan, Bidi merchants.
3. Commuting the death sentence passed against Chimur and Ashti accused.
4. Giving management of the control Department to public representation.

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Ujjain

On 22 April 1945 a meeting was held under the Presidenship of Shri Ayachit Vakil. Attendance was nearly 2,000. Shri Datey and Mrs Kamladevi Chattopadhyaya addressed the gathering. Mrs Chattopadhyaya spoke of the shortage of food grains in the State and that several people died of starvation. There was also an acute shortage of cloth. These problems could not easily be solved on account of the poverty in India. A free India could help in the removing of the existing poverty of Indians with her vast resources and raw materials.

Proceeding she said that they should do constructive work for the attainment of freedom. They should trust in the leadership of Mahatma Gandhi and carry on the struggle for freedom unitedly. They should co-operate in bringing about a compromise between the Hindus and Muslims and work together for achieving their goal.

Ayachit Vakil appealed to the people to join the Sarwajanik Sabha.

(iii) Fortnightly Report of the Gwalior Residency for the Fortnight Ending 14 July 1945

No. 997/5/27/45

Gwalior

The Darbar's recommendation for newsprint to a locally published paper was abruptly cancelled when it published an article criticizing one of the State Departments.

There is nothing else of political importance to report.

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Rampur

Khalid Hsan Khan, Mubashshar Ali Khan and Yunus-ur-Rehman have returned to Rampur after a tour for collecting funds in Delhi and Moradabad from persons there belonging to Rampur. They are also said to have visited the Editors of the *Riyasat* and the *Tej* in Delhi. The editor of the latter paper has promised to publish notes on Rampur affairs on condition that these people support the claims of the Hindus of Rampur.

Banares

The first meeting of the Banares State Praja Mandal (Legislative Assembly) was held on 6 July.

(iv) Fortnightly Report of the Gwalior Residency for the Fortnight Ending 31 July 1945

No. 1058-S/27/45

Gwalior

Reference paragraph 38 of the last Report.¹ The newspaper in question suspended publication as a protest against the Darbar's subsequent order imposing precensorship. The *Jivan* will in future be printed in Agra.

Reference paragraph 36 of the Report for the second half of June.² It is not reported that the situation in the Rama Textiles Mill has not materially improved. Fifty per cent of the workers recently engaged still absent themselves.

To arouse public interest in State affairs the Vamir-i-Watan now arranges that speeches are given after Friday prayers in the Jama Masjid.

Reference paragraph 42 of the last Report. The 'Riyasat' in its issue of the 16 July published an editorial deprecating and condemning the line of action taken by the authors of the various posters and leaflets which were recently distributed in the State. The 'Tej' also published a note in its issue of 23 July pleading the cause of the Hindus of Rampur.

Banares

There has been no activity of any kind.

Rainfall during the fortnight has been good and well distributed.

(v) Note and Extract from the Weekly CID Report for Gwalior State for September 1945

History of Freedom Movement Unit, File No. 52/8, PIV & V, NAI.

On 8 September 1945 a meeting of the Sarwajanik Sabha was held at Morena. Shri Zorwar Singh, Secretary Congress Committee Etah addressed the meeting and appealed to the audience to support the Sabha candidates in the forthcoming elections. He emphasized the need of rural development and constructive work. Datta Ram Vaish threw light on the poverty and unemployment in India and stressed the need to abolish Zamindari.

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A meeting of the Sarwajanik Sabha was held at Shivpuri in Sadar Bazar under the Presidentship of Shri Ram Krishna Vaisha of Shivpuri.

Shri Gopi Krishna Vijayavargiya of Guna attributed the reforms announced by the Gwalior Government to the efforts of the Sarwajanik Sabha. He said that Imperialism was nearing its end in British India. Jagannath Prashad Milind of Morar talked of the sacrifices made by the Sarwajanik Sabha and appealed for public support.

Shri Sitaram Jajoo of Neemuch urged the people to follow the lead of Mahatma Gandhi and give their votes to Vaidi Charan Vakil and Shri Ram Sahai.

Sarwajanik Sabha held another meeting in the Sardar Bazar, Shivpur on 16 September 1945 under the Presidentship of Ram Krishna Vaish.

Shiv Shankar Rawal of Ujjain explained to the audience that though they had made a compromise with the State Government for not carrying on the agitation yet they were determined to achieve responsible Government in the State. Shyam Lal Pandviya also addressed the meeting.

T.S. Gokhala, President of the Gwalior Raj Sarwajanik Sabha protested against the Praja Hitkari Mandal for ridiculing the tri-colour flag....

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A meeting of the 'Central India Civil Liberties Union' was held in the town hall, Ujjain, on 11 September 1945. Shri Kanhaiya Lal Vaidya emphasized the need of civil liberties which would determine the happiness of the people and unity would be established among them.

Hamid Ali of Rajgarh explained the programme of the 'Civil Liberties Union' and pointed out how they would work for the welfare of the State and people.

Shakir Ali of Bhopal also spoke.

A resolution demanding the Civil Liberties in Central India States was passed.

A meeting was held at Sirsadd (Dist Shivpuri). Shri Vadaihi Charan Vakil of Shivpuri spoke on the coming elections and the need of Unity in the same. (22 September 1945.)

At Morena another meeting was held on the (24 September 1945) under the Presidentship of Handas Surjan. Shri Kanta Prashad Vakil proposed a resolution demanding the repeal of the

'Gwalior Defence Rules' and the curtailment of civil liberties thereby. Meetings were also called at Bhilsa and Ujjain during the week to canvas the cause of the Sabha for the elections.... Again on 17 September 1945 another meeting was called in Ujjain. Shri Mangli Prashad Azad said that the national ideas had spread all over the country, and the people were struggling for freedom. The Congress had gained much power but the religious differences were the greatest drawbacks in their path.

Basanti Lal Vaidya spoke of the people, and the deplorable condition they were in. He declared that owing to religious disputes the freedom of India was delayed.

(vi) Notes and Extracts from the Weekly Reports of the CID,
Gwalior State, October 1945

History of Freedom Movement Unit, File No. 14/3, R IV & V, NAI.

On 2 October, 1945, Gandhi Jayanti was celebrated at Daulat Ganj Park under the auspices of the Sarwajanik Sabha, Girdhari Singh was in the Chair. Attendance was about 60.

Shri M.V. Ghule referring to the difficulties faced by Mahatma Gandhi in South Africa and in Champaran (Bihar) said that he had taught a lesson of civil resistance to the people. He added that it was on account of the sacrifices and devotion of Mahatma Gandhi that the Congress had achieved so much success in British India. He had demonstrated to the people that laws should be passed according to their need otherwise they had the right to disobey them.

Dr Sadanand impressed upon the audience the aims of the Sarwajanik Sabha and appealed for support in the elections.

On 3 October, another meeting sponsored by the Sarwajanik Sabha was held on the Didanaoli, M.V. Ghule presided.

Ram Niwas Bangad spoke on the life of Mahatma Gandhi. Ramchander Moreshwar said that the Jayanti was celebrated to awaken the masses.

On 4 October, another meeting sponsored by the Sarwajanik Sabha was held to celebrate Gandhi Jayanti, in which Madhoganj Karkare Vakil presided.

Pernerkar Vakil of Lashkar spoke on the life of Mahatma Gandhi and referred on his contribution towards 'Achoot Uddhar'.

On 5 October another meeting was held at Morar under the presidentship of Gwalior, spoke on the policy of Non-Violence, and Dr Sadanand spoke on the need of responsible Government.

Ram Niwas Bangad and Mahavir Prashad Sinha also addressed the meeting. Mahavir Prashad Sinha, Private Secretary to Acharya Narendra Dev, a member of the Congress Working Committee, said that the main problems before the Indians were that of slavery, unemployment, poverty and illiteracy, which in his opinion could not be solved, unless the administration comes into the hands of the people. He later appealed for support to the Sarwajanik Sabha.

At Ujjain a meeting was held under the auspices of the Sarwajanik Sabha. Manana Vakil presided. The attendance was about 4,000.

Balkrishna Sharma Navin of Shajapur said that rule by one man had proved a failure so far. He demanded that the present constitution of India should be replaced by a republican form of Government.

An appeal was made by him later for support in the coming elections. On 3 October, Gandhi Jayanti was celebrated and a meeting was held under the presidentship of Manana Vakil. Sitaram Jajoo of Neemuch, Ayachit Vakil, Gopi Krishna Vijayavargiya and Shri Manana spoke on the life of Mahatma Gandhi, an appeal was made for popular support.

Morena

A meeting was held on 29 September under the Presidentship of Munnalal Pancholi.

Swami Shardanand of Etawah explained the difficulties faced by the Congress, and asserted that they were determined to achieve home rule in India. He said that the table was turned now. Now the people will frame the rules and therefore they should elect deserving candidates to the State Legislature.

Gandhi Jayanti was also observed at Morena, Shivpuri, Guna, Sheopur, Bhilsa, Shajapur, on 2 October.

Sarwajanik Sabha

Meetings were held at Mandsaur, on 8, 9 and 11 October 1945 under the auspices of the Sarwajanik Sabha. Shri Shiv Shankar Rawal of Ujjain complained about the shortage of food grains in the Mandsaur District.

Meetings of the Sarwajanik Sabha were held on 12 and 13 October 1945 in Bhind, Shivpuri, Morena and Bhilsa for canvassing support for the candidates of the Sarwajanik Sabha and for demanding Responsible Government in the Gwalior State. A prominent Congress Worker who took part in the meeting at Bhilsa was Shri R.V. Dhulekar, MLA of Jhansi. He strongly advocated propaganda work in the rural areas for supporting the Congress candidates.

Labour

Ujjain

A meeting of the Mazdur Sabha was held on 14 October 1945 in Favara Chauk. Shri Joglekar protested against the repression by the Dutch Government of the people of Jawa and Sumatra and laid emphasis on unity amongst the labourers. Shri Ram Singh also spoke at the meeting.

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On the 17 October 1945 The Sarwajanik Sabha was held in Daulat Ganj Park under the presidentship of T.S. Gokhale. He said that the Sarwajanik Sabha was following the policy of the Indian National Congress. Krishna Dutt Paliwal, President UP Congress Committee, said that according to the Shastras, the people should have equal responsibility in the administration. They had right to throw the ruler, if he did not discharge his duties well. He then referring to the recent announcement of the British Prime Minister regarding freedom to Public in the elections, demanded that the Gwalior Government should also grant the same privilege.

He was of the opinion that the Government officials should not exercise their influence in the elections. Proceeding he criticised the Police for prohibiting the holding of meetings at the 'Bada'. He also criticised the Ban imposed on the *Jeewan* Newspaper. He deplored the intervention by the State in the affairs of the Sarwajanik Sabha. Bhikam Chand and Ram Gopal Bansal also spoke and criticised the State.

Shivpuri

A meeting of the Sarwajanik Sabha was held on 22 October 1945 under the presidentship of Chintulal Vaishya. Ram Gopal Bansal, a student of the Victoria College, addressed the meeting demanding responsible government in the State. He said it was due to their agitation that the Gwalior Government had announced new reforms.

Guna

A meeting of the Sarvajanik Sabha was held in Sadar Bazar under the Presidentship of Anirudh Sahai Vakil on 19th October 1945. Other speakers at the meeting were Channulal Tiwari of Sagore and Pandit Janki Vallabh Khedapati of Kolaras. The later spoke against the Raja Saheb of Garha who was seeking election to the legislature.

A similar meeting was held at Guna on 23 October 1945 in Sadar Bazar under the presidentship of Anirudh Sahai Vakil. At both these meetings, the public was requested to vote for candidates of the Sarvajanik Sabha.

- (vii) Notes and Extracts from the Weekly CID Reports of the Gwalior State for November and December 1945.

History of Freedom Movement Unit, File No. 55/3, R IV & V, NAI.

Lashkar

The Sarvajanik Sabha both at Lashkar and Ujjain held public meetings on 5 November 1945 to observe the INA Day.

The speakers at Lashkar were Jagannath Prashad Millind and Gopi Krishna Vijayvargiya with Shri Shamlal Pandviya as president. The main speakers at Ujjain were Kanhaiyalal Manana and Krishnarao Datey. The speeches at both the places were made on the history of the INA and the courage and bravery of the three officers, under-going trial in the Red Fort, Delhi.

The Sarvajanik Sabha held meetings on 14 November 1945 at Lashkar and Morar in connection with 'Jawahar Day'. Shri Dhalekar of Jhansi was the chief Speaker at both these meetings, at which the public was asked to vote for the candidates put up by the Sarvajanik Sabha.

On 15 November 1945, Pandit Govind Vallabh Pant, Ex-Premier of UP, addressed a public meeting under the auspices of Sarvajanik Sabha with Shri T.S. Gokhale in the chair. The attendance was about 30,000.

The speaker invited the rulers of the Indian States to join hands with the Congress in the struggle for freedom and reminded the princes of the cases of Rulers of Nabha, Indore, Rewa and Alwar. He also said that the granting of responsible government to the people of the States will be a step in the right direction and advised the people to vote for the candidates of the Sarvajanik Sabha.

A purse of Rs 4,000 was presented to Pandit Govind Vallabh Pant from the Gwalior for the defence of the officers of the Indian National Army.

Ujjain

A meeting of the Sarvajanik Sabha was held at Gopal Mandir Chauk on 11 November 1945 under the presidentship of Shri Kanhaiyalal Manana. Shri Hiralal Shastri of Jaipur who was the chief speaker said that the slavery of Indian people was due to disunity and lack of patriotism. He spoke of the services of Sarvajanik Sabha and asked the people to vote for the Sarvajanik Sabha Candidates.

A meeting of the Sarvajanik Sabha was also held on 14 November 1945 to celebrate the 57th birthday of Pandit Jawaharlal Nehru. Speeches on the life and activities of Pandit Nehru were made by Shri Ayachit, Shamlal Gaud and Shri Kanhaiyalal Manana.

Shajapur

A meeting was held on the 14th November 1945 under the auspices of the Sarvajanik Sabha. Shri Durga Shankar Master presided. Shri Pratap Singh Chipa said that the Praja Hitkari Mandal

was only a puppet of the Ruler and requested the people to vote for Kishor Bhai who was a worker of the Sarvajanik Sabha.

Guna

A meeting of the Sarvajanik Sabha was held on 11 November 1945 under the presidentship of Balmukund Vakil. Shri Vaidehi Charan Parashar of Shivpur said that every one was against the British rule and recounted the story of the struggle led by the Congress. He declared that the Sarvajanik Sabha was part of the Congress and people should, therefore, vote for the Sarvajanik Sabha Candidates.

Bhilsa

The birthday of Pandit Jawaharlal Nehru was celebrated on 14 November 1945. Prabhat Pheries were taken out and a public meeting was held. Among the speakers were G.K. Katare, Krishanand Vakil, Datar Vakil and Balwant Singh Tailor.

A resolution requesting the Gwalior Darbar to stop the system of compulsory 'Begar' was passed.

Mandsaur

A meeting of the Sarvajanik Sabha was held under the presidentship of Sitaram Jaju on 13 November 1945. Shri Hiralal Shastri of Jaipur explained to the public that British had established their rule in India by following the policy of 'Divide and Rule'. He requested the public to vote for candidates put up by the Sarvajanik Sabha.

Shivpuri

A meeting of the Sarvajanik Sabha was held on 8 December 1945. Two resolutions (1) condemning the State authorities for postponing Elections and (2) requesting the Gwalior Government to appoint peoples representatives in the Rationing Department, were passed.

Bhind

On 2 December 1945, Azad Hind Day was celebrated under the auspices of Sarvajanik Sabha. A procession was taken out and at the Market place the flag was hoisted by Yeshwant Singh Kushwah. Rs 100 were collected for being sent to the INA.

Lashkar

The Gwalior Rajya Sarvajanik Sabha nominated the following as delegates from Lashkar, Gwalior and Morar for All India States People Conference to be held at Udaipur on 31 December 1945.

1. Dr Sadanand
2. M.V. Ghuley
3. Bhikan Chand Jain
4. Jagganath Prashad Millind
5. Shamlal Pandviya
6. Deolal Rudra

(viii) Fortnightly Report for the First Half of December 1945 for Gwalior State
Praja Mandal Papers, Gwalior State, NMML.

The following are the elections to the State Legislative Assembly.

Raj Sabha (Upper House)—Of the 20 seats for elected members, 7 were secured by Sarwajanik Sabha (Congress), 3 Praja Hitkari Mandal, 4 by the Rajput Seva Singh, 2 by Jagir Sangh and 4 seats by Independents.

Praja Sabha (Lower House)—The Sarwajanik Sabha secured an overwhelming success in the elections to this House. Of the 65 elected seats, the Sarwajanik Sabha candidates who contested the elections on the issue of immediate establishment of full responsible government in the state secured 34 seats, while the Praja Hitkari Mandal got 4, the Rajput Seva Sangh 4 and the Hindu Sabha only 2 seats. The remaining seats were won by Independents, the Mazdoor Sabha and the Jagirdar Sangh.

¹ See previous report. The Government cancelled newsprint quota to *Jivan* when it published an article criticizing State departments.

² Not printed.

3. Rajputana States

Movements in the States under Rajputana States Agency

Extracts from Fortnightly Intelligence Reports for the Rajputana States submitted by H.A. Charles, Inspector General of Police Ajmer-Marwara, Police Adviser to the Resident for Rajputana, Rajputana States Agency, Rajputana States Archives, Bikaner, Home Department, 6K 83, CRR, NAI.

(i) Fortnightly Intelligence Report for Rajputana States for the First Half of February 1945

Alwar

Independence Day was observed at Alwar, Tijara and Khairtal on 25 January 1945. At small meetings, the local Prajamandal workers took the usual Independence pledge and asked for responsible governments in Indian States, Hindu-Muslim unity and the removal of unsociability were advocated....

Bharatpur

Independence Day was celebrated at Bharatpur by Praja Parishad workers and the college students by holding meetings, processions, Prabhat Pheries and hoisting of national flags. At the meetings held on 24 and 25, January 1945, Jugal Kishore Chaturvedi, Raj Bahadur Vakil, Vidya Vrat Shastri, Aley Mohammad and Ratan Singh spoke. The serfdom of India was attributed to the British Government and it was stressed that India could not be liberated until the yoke of British Government was removed.

On 26 January 1945, the College students evinced enthusiasm in the celebrations of the Day. They did not attend their classes and organised a procession and a meeting at which national slogans were shouted. Speeches were delivered by Badri Prasad, Shanker Lal Pitalia and Prem Nadhi on the significance of the Day. The audience were urged to make sacrifices for the liberation of their country.

In the evening the Praja Parishad workers also held a procession and a meeting. Resolutions were passed (1) requesting H.E. the Viceroy to commute the death sentence passed on the accused in the Chimur case, (2) decrying the Rulers of Kotah and Bikaner for not granting civil liberties to their people and (3) requesting these Rulers to declare a change in their policy. The Independence pledge was publicly read out by Pt Reoti Saran, the president, and was adopted by about 200 persons.

On 27 January 1945, a meeting of the Praja Parishad workers was again held at Bharatpur.

Speeches were delivered by Jugal Kishore Chaturvedi, Vidya Vrat Shastri and Ratan Singh characterizing the Bharatpur Assembly as merely a farce because they had done nothing to promote the well being of the people. Two songs were recited which asked British to quit India as their oppressions were on the extreme.

Jaipur

The City Mandal observed the Independence Day on 26 January 1945 taking out a Prabhat Pheri and holding a meeting in the evening. Stock speeches were delivered but no pledge was read out. Similar meetings were also held at some places in the mofussil....

Jodhpur

The Independence Day celebration at Jodhpur were confined to the holding of a meeting by the students of Jaswant College in the college premises. Principal Shahni presided. The audience were urged to implement the constructive programme in the city and the rural area of the State. A small procession was also taken out a Phalodi.

* * * *

Udaipur

Rameshchandra Vyas, Rajputana list No. 13, and Manaklal Verma of the Mewar Praja Mandal and other celebrated the Independence Day at Bhilwara by hoisting the national flag and reciting 'Vande-Mataram' song. Prabhat Pheries were also taken out and the national songs shouted. The Day was also observed in a village school at Thandoda (Bijolian).

H.A. Carless
Inspector General of Police Ajmer-
Merwara and Police Adviser to the
Resident for Rajputana

No. 1-I.B./45, dated Ajmer, February the 27th 1945

Secret

Submitted to the Home Minister, Bikaner, for favour of perusal.

Inspector General of Police
Bikaner

Copy submitted to H.H.

P.M. and Council

Submitted for information.

Pratap Singh
Home & Development Minister

(ii) Fortnightly Intelligence Report for Rajputana States for the
Second Half of February 1945

Bharatpur

February the 9th was observed as 'Leaders Arrest Day' at Bharatpur. Some of the College students did not attend their classes and started from the College in a procession shouting Congress slogans. They held a meeting at which Shankar Lal Patalia, Girdhar Singh and Prem Nidhi spoke. It was

resolved to observe the Day on the 9th of each month and to do some practical work for Hindu-Muslim unity, the removal of untouchability and illiteracy.

A meeting of Praja Parishad workers was held at Bharatpur on 11 February 1945 to observe the anniversary of the death of Jamna Lal Bajaj and Kasturba Gandhi. Speeches on their lives were delivered by Shankar Lal Pitalia, Jugal Kishore Chaturvedy and Ratan Singh. Ram Chand Modi presided. At another meeting of Praja Parishad workers held at Bhusawar on 11 February 1945, Vidya Vrat Shastri of Ballabhgarh criticised the State administration. He said that nothing had been done to check corruption and although the income of the State had increased considerably no increments had been given to low paid employees. He also criticised Money Lenders Act and Heria Cattle damage prevention Act and urged his audience to unite and remove communal friction....

Dungarpur

Independence Day was observed by Praja Mandal workers on 26 January 1945. A meeting attended by about 400 persons was held. Bhogi Lal presided. The 'Quit India' Resolution of the Congress was endorsed and the State administration criticised. Various reforms were demanded such as the removal of Begar, increase in the scale of pay and dearness allowance of low-paid employees of the State, reduction in the price of fuel, reservation of high paid posts for local people and the right of the people to appoint the Chief Minister.

Jaipur

The death anniversary of Jamna Lal Bajaj and Kasturba Gandhi was observed by the City Praja Mandal on 11 February 1945, by taking out a Prabhat Pheri in the morning and holding a meeting in the afternoon. Speeches were delivered extolling the services of the dead.

Palanpur

At a poorly attended meeting held at Palanpur on 20 February 1945, Syed Akbar Ally appealed to cultivators not to grow food more than their own requirements and to utilise their time in spinning and weaving cloth to achieve Swaraj. The appeal had no response.

Shahpura

Independence Day was celebrated by Praja Mandal workers by holding a meeting at Shahpura on 25 January 1945. Abhey Singh Dangi presided. The Independence pledge was read out by the President and was adopted by about 400 persons—mostly students. Laxmi Datta Kantia, Sohan Lal Gagrani of Deopuri and Manohar Singh Chordia criticised various departments of the State. Ramsarup Bhandari of Mandalgarh (Mewar) pointed out that the British were opposed to the freedom of India and that their national leaders were still in jail. Resolutions were passed (1) condemning the policy of the Kotah State in arresting and convicting Lok Sewaks and (2) requesting the Mahkma Khas of Shahpura to remove the ban imposed on Political meetings.

Udaipur

Certain Praja Mandal workers distributed free medicines at village Kanpur. They also collected funds for a school building. One building for a school has already been constructed at Bailakh.

'Ba and Bajaj day' was observed at Nathdwara and Bhilwara where public meetings were held. Vande Mataram recited and slogans shouted. Rameshchandra Vyas, Rajna, List No. 13, also spoke on the lives of Kasturba Gandhi and late Jamnalal Bajaj.

‘Mahila Mandal’, Udaipur celebrated their fourth anniversary. The opening ceremonies of ‘Mahila Udyougshala’ and ‘Kasturba Mahila Vidyalyaya’ were also performed the latter under the presidentship of Srimati Hansa Mehta President of the All India Women’s Conference, Bombay. Rao Saheb Pandit Laxmilal Joshi, Director of Public Instructions while introducing Srimati Hansa Mehta spoke on the life of Kasturba Gandhi. Speeches were also delivered by certain political workers such as Basantilal Murarka of Calcutta and Mohanlal Sukhadis of Udaipur....

H.A. Carless
Police Adviser to the Resident
for Rajputana

Submitted to the Home Minister, Bikaner, for favour of perusal with special reference to the portion marked ‘a’ in red pencil

Inspector General of Police
Bikaner

NSG
14 March 1945

H.H.

Pratap Singh
Home & Development Minister

(iii) Fortnightly Intelligence Report for Rajputana States for
the Second Half of May 1945

Bharatpur Bharatpur Rajya Praja Parishad

The 2nd Session of the Bharatpur Rajya Praja Parishad was held at Bayana on 23 and 24, May 1945. Aley Mohammad presided. The opening ceremony was performed by Jai Narain Vyas, Secretary of the All India Deshi Rajya Praja Parishad. He stressed the necessity of forming responsible governments in Indian States based on adult franchise with full powers to legislate and conduct the affairs of States. He warned the Bharatpur State against offering posts and contracts to the relatives and favourites of the Maharaja. The President, Kanhaiyalal Vakil and Manoharlal Sukharia of Udaipur delivered speeches condemning the alleged mal-administration of the State. A committee was formed to enquire into the cases of Begar, corruption and matters relating to the distribution of cloth and grain etc. A number of resolutions were passed concerning the affairs of the State, such as condemning the arrest of Chaubey Sanwal Prasad, a prominent Praja Parishad worker and a lathi charge on peaceful inhabitants of village Kumher. In one resolution it was stressed that the present administration of State was unconducive to the interests of both the Ruler and the ruled it being of an unrepresentative character.

A student Conference was also held on 24 May 1945, at which expulsion of Damodar Das, formerly student of the Bikaner College was condemned.

The Praja Parishad also organised meeting at Bharatpur and Bhusawar on 25 May 1945. Jai Narain Vyas and Ramesh Chandra spoke on the necessity of responsible governments in States.

(iv) Fortnightly Intelligence Report for Rajputana States for
the First Half of June 1945

Extracts

Jaipur

Hiralal Shastri addressed two public meetings in the mofussil and delivered militant speeches against Thikanedars for their alleged ill-treatment of the Kisans.

The 7th annual session of the Praja Mandal was held at Dausa on 3 and 4 June 1945. Laduram Joshi of Sikar presided. Resolutions were passed demanding (1) Independence for India, (2) responsible government in the State, (3) abolition of the Criminal Tribes Act, (4) release of political prisoners in Bikaner, (5) commutation of death sentences passed on Chimur and Ashti prisoners and (6) opposing establishment of a Council of action to deal with the 'Bhomia-Jat' question.

A hartal was observed and a meeting held at Dausa because a local officer was said to have maltreated two shop-keepers who refused to sell ice to him....

Udaipur

Mr Sampuranand, Ex-Education Minister, UP delivered a speech at Chittor Gurukul on female education and advised the Brahmcharis to serve the poor and carry out their duties in right earnest without caring for Government officials.

Under the auspices of the Kasturba-Training Vidyalaya, a training camp for women teachers has been opened at Chittor.

Library centres have been formed by the 'Vidyarthi Sangh' at several places in Nathwara and basic education is being imparted to the villagers. Narender Lal Singh Jat, a Praja Mandal worker, is prominent.

H.A. Carless
Inspector General of Police, Ajmer-
Merwara and Police Adviser to the
Resident for Rajputana

No. 1-I.B/45, dated Ajmer, 25 June 1945

No. 1830/164483, Dated July 1945

Submitted to the Home Minister, Bikaner, for favour of perusal.

Inspector General of Police
Bikaner

(v) Fortnightly Intelligence Report for Rajputana States for
the Second Half of July 1945

Extracts

Bharatpur

A number of meetings were organised by the Praja Parishad workers at various places in the State at which stock speeches were delivered criticizing the State administration in connection with the distribution of sugar, cloth and kerosene oil, protesting against the arrest of the Praja Parishad workers and demanding responsible government in the State.

'Anti-Repression Day' was observed on 11 July 1945 by holding meetings, processions and observing hartals at Bharatpur, Bhusawar, Nadbai, Uchain and Bayana. The usual demands of the Praja Parishad were stressed and the audience were advised to support their candidates in the Municipal and Town Board elections.

The well-known agitators of the various States in Rajputana met at Bharatpur on 22 and 23, July 1945 to discuss Bharatpur and Bikaner State affairs and to consider whether satyagrah should be launched or not. Pt Reoti Saran was selected the first dictator in case action is taken. Two public meetings were also organised on 23 and 24 July 1945, at which speeches were delivered by Jai Narain Vyas of Jodhpur, Raghubar Dayal Goyal of Bikaner, Master Bhola Nath of Alwar, Gokul Bhai Bhatt of Sirohi, Hari Bhao Upadhia of Ajmer and Master Gopilal Yadav of Bharatpur advising the rulers of the Indian States to associate their subjects with the administration. The audience were exhorted to follow the principles of Mahatma Gandhi to eradicate corruption and black marketing....

The Bharatpur students Federation organised two meetings on 20 and 23 July 1945, at which Hari Bhao Upadhia and Jai Narain Vyas advised the students to build their moral character.

Jodhpur

Jai Narain Vyas who had resigned from the presidentship of the Marwar Lok Parishad has been re-elected as the President of the Lok Parishad.

At a meeting of the Marwar Lok Parishad held on 14 and 15 July 1945 it was decided to enlist volunteers for the Lok Parishad. Resolutions were passed requesting the Jodhpur Government to release the bomb case prisoners and to see that the settlement officers work honestly in the Jagiri areas, (2) deploring the action of the Bharatpur Government in removing the Prime Minister of the State, (3) urging the Bikaner Government to release the Praja Mandal workers and to remove the ban imposed on the entry of Raghubar Dayal into the State.

Jai Narain Vyas remained busy throughout in making press propaganda against Bikaner State. He intends to open an office at Jodhpur under Damodar Parshad Singhal of Bikaner to launch effective propaganda against Bikaner State.

* * * *

On the occasion of His Highness the Maharaja's birthday on 24 July 1945, a number of constitutional reforms in the State were announced which have been well received by the general public. The important reforms are (1) replacement of the Representative Advisory Assembly by a Legislative Council consisting of 69 members of which 37 will be selected, (2) conversion of the Chief Court into a High Court and (3) reconstitution of the public service commission. His Highness the Maharaja Sahib Bahadur has also expressed a desire to appoint one or more popular ministers and Parliamentary Secretaries from either the Council or the public as may be considered suitable.

* * * *

Miscellaneous

On 9 and 12 July 1945, when two special trains carrying Indian troops passed Rutlam Railway Station the troops shouted 'Mahatma Gandhi Ki Jai', etc.

H.A. Carless
Inspector General of Police, Ajmer-Merwara
and Police Adviser to the Resident for Rajputana

(vi) Fortnightly Intelligence Report for Rajputana States for the First Half of August 1945

Alwar

The Praja Mandalists observed 'Liberty Day' on 9 August 1945, by holding a meeting at which usual speeches were delivered in connection with August 1942 movement. Most of the college and school students did not attend their classes.

'Independence Week' was celebrated at Bharatpur from 9, August 1945 by taking out Prabhat Pheries in the morning and holding meetings in the evening.

Jaipur

Only 30 July 1945 when two special trains carrying Indian troops passed Swai Modhopur Railway Station the Troops shouted 'Inquilab Zindabad', 'Hindustan Zindabad' and 'Subhas Chandra Bose Ki Jai'. The terms 'National Army', 'Azad Hind', and 'Congress' were also written in chalk on some of the carriages.

The Jodhpur Lok Parishad organised two meetings on 29 July 1945, and 9 August 1945 at which speeches were delivered vehemently criticizing the state administration in connection with the control of prices and the distribution of cloth. A resolution was also passed requesting the Jodhpur government to procure full quota of cloth allotted to the State. Rationing of cloth in Marwar was also demanded.

Shahpura

The Praja Mandalists observed 'Independence Week' at Shahpura by holding a meeting on 9 August 1945. Laxmi Dutt Kantia, President delivered a speech on the significance of the Day and urged unity.

Udaipur

'Tilak Jaiyanti' was celebrated at various places in Marwar, holding meetings at which speeches were delivered paying tributes to Lokmanya Tilak.

The Praja Mandalists celebrated 'Independence Week' from 9 August 1945 by holding a meeting at which speeches were delivered on the significance of the week.

At the instance of certain Praja Mandalists some of the Hindu of Dilwara Thikana (Mewar State) refused to do 'Chakri' (service) which they had been doing in lieu of the Moafi land.

H.A. Carless

Inspector General of Police Ajmer-Merwara
and Police Adviser to the Resident of Rajputana

(vii) Letter from the Inspector General of Police, Jodhpur to the Inspector General of Police, Bikaner, Dated 28 August 1945

The internal matters in the Marwar Lok Parishad. The Fortnightly Report for Rajputana State for the fortnight ending 15 September 1945.

Please refer to your Secret D.O. No. 2047 SB dated 28 July 1945 in the matter of the intention of Ranchod Dass Gattani to start a rival organisation to the Marwar Lok Parishad.

2. Since sometime, bad feelings have prevailed between Ranchod Dass Gattani and Jai Narain Vyas over the question of rendering of some accounts of funds by Ranchod Dass Gattani to Jai Narain Vyas, as the funds had been collected for public purposes. It appears Ranchod Dass Gattani

has not been able to clear himself of the allegations against him. Since 1940, his relations with Jai Narain Vyas have been strained privately although outwardly they have worked together in the agitation. Ranchod Dass Gattani has since long been trying to overthrow the leadership of Jai Narain Vyas from Lok Parishad activities, but so far he had not made any progress in the matter. Recently, however, there have been bad feelings prevailing in the local Lok Parishad circles, as Jai Narain Vyas has gathered round him irresponsible and good-for-nothing youngsters and has got them appointed to offices in the Lok Parishad, e.g., Mathura Dass Mathur as President of the Jodhpur branch of the Lok Parishad and Radha Krishna Bohra its Secretary. Although Jai Narain Vyas continued to remain as President of the Marwar Lok Parishad, a considerable number of active workers of the Lok Parishad including Ganga Das Vyas, who were the principal supporters of Jai Narain Vyas in the last agitation and went to jail, have now become utterly disgusted with the activities of such irresponsible youngsters and feel that although they believe Jai Narain Vyas to be a sincere and an honest worker, he allowed himself to be guided by irresponsible men who by their activities were unnecessarily trying to create trouble with the authorities and were acting in an irresponsible manner. Therefore, in order to teach a lesson to Jai Narain Vyas and to see that the new reforms granted by Government are worked up in a spirit of responsive co-operation, under the leadership of Ganga Das Vyas efforts are being made to start a new party styled 'Progressive Party' and also to start, if possible, a weekly or bi-weekly organ of the new party. It is understood that in local politics this new party may adopt the policy of responsive co-operation with regard to internal politics and in all India politics a nationalist outlook. Ranchod Dass Gattani does not command much respect—although he is an energetic and intelligent youngman. His father and one brother are suspected of conducting gambling dens—though one of his other brothers has been a bright Science student and has procured a scholarship and is now studying in America. Several people believe that Ranchod Dass Gattani misappropriated some of the funds gathered by him for various purposes.

3. When the new party is formed and if it starts a paper of its own, it would naturally feel inclined to try its best to secure funds or facilities for its organ.

No. 2465/2397 S.B. D/- 31 August 1945

Copy submitted to the Home Minister, Bikaner with reference to his No. 1163/1752C, dated 22 July 1945, for information.

Inspector General of Police
Bikaner

(viii) Fortnightly Intelligence Report for Rajputana States for
the First Half of October 1945

Alwar

On 2 October 1945, the Alwar Praja Mandal celebrated the 'Gandhi Jayanti' by taking out a procession in the town and holding a meeting in which speeches were delivered eulogizing the life of Mr Gandhi and demanding responsible government in Indian States....

Bharatpur

A number of propaganda meetings were held in the State by the Praja Parishad workers to enlist members and collect funds. On 9th, October 1945, B. Raj Bahadur Vakil a Praja Parishad worker, was arrested u/s 124-A I.P.C. for a seditious speech delivered by him at Bharatpur on 24 September 1945, and a meeting was held by the Praja Parishad workers as a protest against his arrest....

Dungarpur

'Gandhi Jayanti' was celebrated on 2 October 1945, by the Praja Mandal by holding a meeting at Dungarpur when ex-compounder Chandu Lal, the President, Shiv Lal Bania and Hapdeo Joshi delivered highly objectionable anti-British speeches which are under examination. They ridiculed the Indian princes and compared them with monkeys dancing at the behest of the Mudari-British Government.

Jaipur

The Praja Mandal workers celebrated 'Gandhi Jayanti' in the State by holding several public meetings and taking out processions and Prabhat Pheries. Stock speeches were delivered urging the audience to become members of the Praja Mandal in large numbers and to unite and be prepared for sacrifices for attaining 'Swaraj'.

Two Kisan meetings attended by about 400 and 700 persons were held in Thikana Sikar under the auspices of the Praja Mandal. Speeches were delivered against the Thikanadars and the Government were urged to enforce land-settlement in Jagir lands.

Jodhpur

To celebrated 'Gandhi Jayanti' on 2 October 1945, two meetings were held at Jodhpur by the Marwar Students Union and the Jaswant College and one meeting at Jaitaran by the Lok Parishad workers. Usual speeches were delivered eulogizing the life of Gandhi. A Charkha competition was also organised at the Sardarpura Arya Samaj by Yosoda Devi.

The Rajputana States Political Workers Conference was held at Jodhpur on 6 and 7 October 1945 with Manak Lal Verma of Mewar in the chair. The bans imposed on the entry of 'Praja Sewak' into the Bikaner State and of *Jeevan* into the Gwalior State were condemned, while Lord Wavell's scheme for political advancement in India, the industrial scheme of the Baroda State, the alleged policy of the Kotah State for not allowing public societies to be established in the State, were adversely criticised. Resolutions, (1) approving the agitation started in the Bikaner State and requesting the Bikaner Government to come to a settlement with the Bikaner Praja Mandal, (2) requesting the Jaisalmar Darbar to release all the political workers, (3) strengthening the Praja Mandals and establishing its branches in different parts of the Indian States, and (4) demanding Responsible Government in the various Indian States, were passed.

The following attended the Conference as delegates: Hari Bhao Upadhia and Chuni Lal of Ajmer, Murli Dhar of Beawar, Bhola Nath and Ramji Lal of Alwar, Raja Bahadur Singh of Bharatpur, Desh Pandey and Radha Kishen Bazaz of Jaipur, Babu Lal of Indore and Ramesh Chandra Vyas of Mewar.

Pandit Jawaharlal Nehru is expected to visit Jodhpur for one day on 24 October 1945. He will look into the records of the All India States Peoples Conference and address a public meeting. Collections are being made in Jodhpur to present a purse to him for the Kamla Nehru Hospital Fund....

Palanpur

The Khadi Bhandar workers celebrated the 'Spinning Wheel Day' on 3 October 1945, by decorating their shop with buntings; there was no public response to it.

The Harijan Sevak Samiti celebrated 'Gandhi Jayanti' from 28 September to 4 October 1945. Speeches were delivered urging the uplift of untouchables and criticizing various departments of State such as Medical, Municipality, Price Control, etc.

Sirohi

With a view to reviving the Sirohi Rajya Praja Mandal, Gokulbhai D. Bhatt organised a meeting of the Sirohi subjects in Bombay on 25 September 1945; the Praja Mandal workers were praised for their sacrifices in connection with the Congress Civil Disobedience campaign in 1942 and a committee was also formed in Bombay to carry on propaganda and collect funds for the Praja Mandal.

Efforts are being made to hold the next session of the All India States Peoples Conference in Sirohi State with Pandit Jawaharlal Nehru as president.

In Sirohi and Abu Road 'Gandhi Jayanti' was celebrated on 2 October 1945 by the Praja Mandal workers by holding meetings in which speeches were delivered criticizing the State administration.

Udaipur

The Praja Mandal workers celebrated 'Gandhi Jayanti' by holding meetings at various places in the State. In one of his speeches Maniklal Verma said that the British would be no where if cultivators and businessmen refused to pay taxes.

The 33 Session of the Akil Bhartia Hindi Sahitya Sammelan will be held at Udaipur from 17 October 1945, under the presidency of K.M. Monsel of Bombay.

H.A. Carless

Inspector General of Police Ajmer-Merwara
and Police Adviser to the Resident of Rajputana

No. 1-I.B./45

D/- 25 October 1945

(ix) Fortnightly Intelligence Report for Rajputana States for
the Second Half of November 1945

Jaipur

The Praja Mandalists organised four public meetings in the mofussil and urged settlement in Jagiri Lands.

The students of the local institutions observed INA Day on 21 November 1945 by keeping away from their classes. Three resolutions: (1) appealing to the British Government not to prosecute INA personnel, (2) urging the Punjab and UP Governments to take action against the Police for lathi charges made on students, and (3) against the high-handedness on the people of Indo-China, were passed.

A meeting of the Prajamandal was held on 26 November 1945, besides other routine matters, speeches were delivered with regard to INA personnel and an appeal was made to the British Government to drop proceedings against them.

Jodhpur

In a meeting held at Jodhpur on 15 November 1945, the Lok Parishad workers discussed the advisability of contesting the local Assembly elections and proposed to raise funds for the defence of INA personnel.

INA Day was celebrated at Jodhpur on 21 November 1945 by holding a meeting organised by the Lok Parishad workers. Kana Ram, a discharged sepoy of the 10th Rajputana Rifles, Delhi Cantt. related briefly how he happened to join the INA at Singapore and exhorted the people not

to rest until their leaders were released. Mathura Dass Mathur said that the chief objective of the INA was to liberate India and although they were neither in league with the Japanese nor had they any intention to invade India, the British Government had put the INA men on trial for no crime committed by them. He urged the people to unite to get the INA personnel released and to subscribe towards the INA Defence Fund. Resolutions were passed; (1) urging the British Government to release the INA prisoners without further trial, (2) condemning the use of Indian troops by the British against the Indonesians and (3) praising the action of the Bombay Dock workers in refusing to load ships bound for Indonesia.

About Rs 500 were collected for the INA Defence Fund and efforts were in progress to collect more money by the Marwar Lok Parishad and the Marwar Students Union and other similar institutions to celebrate the birthday anniversary of Pandit Jawaharlal Nehru.

The students of IX class of the Sardar High School, Jodhpur held a meeting in the school premises on 14 November 1945 where some poems eulogizing the life of Nehru were recited.

* * * *

Kotah

INA Day was observed by the students on 21 November 1945 by taking out Prabhat Pheri in the morning in the evening.

Shahpura

At a meeting of the Praja Mandal held under the presidentship of Abhey Singh Dangi it was decided to invite Pt Nehru and Praja Mandal workers to Shahpura on the close of the State People's Conference at Udaipur.

Udaipur

Jawahar Jayanti was celebrated at several places in Mewar by taking out processions.

In a meeting held by the Students Union on 19 November 1945 a resolution demanding the release of INA men was passed. Mr Mohan Lal Sukhadia, a Praja Mandal worker, criticised the British policy concerning INA men. The students protested against the lathi charges made on the students at Lahore and Lucknow.

Smt Kamla Devi Chattopadhyaya performed the flag hoisting ceremony at Khadi Bhandar on 11 November 1945. She advised the students first to attend to their studies and then follow the constructive programme of Mahatma Gandhi. She criticised the British Government and exhorted the audience to free themselves from the bondage of slavery.

The Working Committee of the Mewar Praja Mandal have formed a Reception Committee for the All India States People's Conference. Pt Nehru has been designated as President elect. It is also intended to present a purse to Pt Nehru on this occasion.

Mr Ramesh Chandra Vyas, Rajputana List No. 13, in a meeting at Bhilwara appealed to the audience to raise funds for the All India State People's Conference and said that the Residency flag will soon be replaced by the tri-colour flag.

H.A. Carless

Inspector General of Police Ajmer-Merwara
and Police Adviser to the Resident of Rajputana



4. Mewar State

Political Activities in Mewar State.

Extracts from Weekly Confidential Reports submitted by Inspector General of Police, Udaipur to the Prime Minister, Mewar Government, Udaipur. Crown Representative Records, NAI.

From:

Rai Bahadur Pt Chander Bhan Pande
Inspector General of Police, Udaipur

To:

The Prime Minister
Mewar Government, Udaipur

Sir,

Dated, Udaipur the 27 January 1945

I enclose herewith the weekly confidential report in Mewar State during the week ending Friday the 26 January 1945, for your perusal.

I have the honour to be,

Sir,

Your most obedient servant,

C.B. Pande

Rai Bahadur

Inspector General of Police

- (i) Political and Other Activities in Mewar State During the
Week Ending Friday, 26 January 1945

Udaipur City: Praja Mandal

An informal meeting of the District Pranamandal Communist for the first time after August 1942 of the local Prajamandalists was held at the house of Mr Bhawanishankar Vaidya under the presidentship of Mr Bhurilal Baya on 17 January 1945 at 7 p.m. It was resolved that flag salutation, a repetition of Independence pledge, Soot Yagya, and distribution of free medicines to the patients be done. It was also resolved that the President should hand over propaganda work to discard drinking in the city to the concerned persons so that this work should be well taken up in right earnest.

On 26 January 1945 (Independence Day) the local Prajamandalists assembled at the house of Mr Maneklal Verma at 8 a.m. (where the prajamandal office is located) and Mr Baya placed a new tri-coloured flag in place of the old one. The flag was then garlanded and slogans of Mahatma-ji-ki-Jai and Pt Nehru-ki-Jai were shouted on the roof of the third floor of the house. The following are the notable personages among those who attended: Messrs Bhurilal Baya, Roshanlal Bordie, Jamnalal Vaidya, Chander Lal Sukhwal, Krishnlal, Umeshchander, Janardanrai Pota, Motilal and Mohanlal Tejawat, Piarchand Vishnoi, Kanak Madhukar Vakhtawarlal, Ishwarlal Khatri, Bhawanishankar, Kishanlal Dave, and Srimati Bhagawati Devi, some students of Vidyarathi Sangh and 35 boys of Bhil Sewa Sangh. They resolved to take up the work of Harijans.

At about 12 noon the teachers and students of Bhil Vidya Pith recited 'Vande Matram' in honour of 'Independence Day'.

At about 4 p.m. they reached Kanpur and called the mahajans and brahmins of the village. About 50 local villagers assembled. Mr Bhawanishankar Vaidya distributed 15 pills for evading fever to each of them and requested them to arrange for a house where he could open a dispensary which was also promised. They then promised to return after a week. Mr Hukmichand spun the thread and Mr Baya advocated Khaddar Prachar. The students of Bhil Vidya Pith recited 'Vande Matram' while Mr Sukhadia described the disadvantages of drinking. They left for Udaipur city at about 5 p.m.

On the same evening, from 9 p.m. to 11 p.m. a general meeting was arranged to criticize drinking at the Scout Ashram under the presidentship of Mr Motilal Tejawat. Leaflets advertising the same were distributed in the city. A copy of the leaflet is attached herewith for perusal. (This meeting and distribution of leaflets was done without obtaining previous sanction).

Mr Bhurilal Baya spoke about the constructive programme and opening of a Society under the heading 'Madya Nishedh Samiti' and requested the audience to render them whole hearted-assistance in making it a success. Mr K.L. Bordia, Headmaster Vidya Bhawan, described the defects of Wine and Satta. Mr Sukhadia advocated the instructions of Mahatma Gandhi on constructive programme, and said that this was an off-shoot of the same. Some others also spoke on demerits of Wine. About 300 persons attended.

It has come to notice that the students of Maharana Modern School, Mandi arranged a meeting on Independence Day (26 January 1945) under the presidentship of Master Virendra Pal and salutations were given to the tri-coloured National Flag after recitation of 'Vande Matram'. They also shouted the slogans of 'Bharat Azad'.

On 25 January 45 an informal meeting of the local Prajamandalists was held when it was decided to distribute free medicines to the poor by Mr Bhawanishankar Vaidya.

Jehazpur

Mr Mathura Prasad wrote following on his Notice Board:

- (i) The Government has given a chance to the Police to loot the public by banning death dinners.
- (ii) Police is making naked demonstrations of loot in Jehazpur Circle on death dinner orders.
- (iii) The average of death dinners in this district is 20 per month and about 200 to 500 persons are fed on each occasion.
- (iv) Again a prisoner has been released 10 days earlier.
- (v) Strong black market in cloth and at grain market of Jehazpur.

Bijolian

P.S. Mr Ganpatlal Verma called a punchayat at village Nayagao and asked them to subscribe for repairs of the temple of Mahadeoj. He also said that Mr Maneklal Verma would be going there for this sake. About 25 persons attended.

The Prajamandalists have put a tri-coloured flag over the school building in village Thadoda.

Miscellaneous

Udaipur City

The boys of Maharana Middle School celebrated the annual function under the presidentship of Mr Girharlal Jethi. Mr S.C. Bose, Principal, Maharana's College, also spoke on education and hygiene. In the evening another function was celebrated under the presidentship of Mr Justice Piare Kishan Kaul. Poetry and mashahira were recited, and music competition held

It is reported that the Maharana's College will observe a Holiday on 26 January 1945 being 'Independence Day'.

Communal

Udaipur City

On the night of 20 January 1945 a war poem was recited in the mosque Silawat Wadi. About 150 persons attended.

On 26 January 1945 the Suthars (carpenters) took out the Photo of Lord Vishwa Karma in the city in a procession with recitations of Bhajans. Later they had a panchayat about Caste reforms etc.... They had arranged recitations of Bhajans on the previous night also. It is also said that they have opened a Vishwa Karma Sewak mandal in Naion-ki-Talai which is said to have not been registered.

From 8 to 11 p.m. Milad was recited at Dholi Baoli. About 60 people attended.

Begun

The local mussalmans arranged a Jalsa on the occasion of the visit of Maulvi Syed Siraj Ahmed Saheb of Bans Bareilly, UP and Mr Abdul Suban, Secretary Sariat Committee who arrived here on 13 January 1945 by tonga from Bhilwara. Lectures were delivered under the presidentship of Mehta Bhimsinghji, Munsarim. The said Maulvi gave a discourse on Hindu-Muslim unity and primary education which was seconded by the Secretary Sariat Committee and others. About 500 persons attended. S.P. Bhilwara has been asked to report his movements.

A note on the movement of local political suspects during the week ending Friday the 26th January 1945.

Udaipur City

On 20 January 1945 Mr Mana Regar of Mohi arrived and left on 22 January 1945.

On 22 January 1945 Mr Kishanlal Akbarwala left the Malvi and returned on 22 January 1945.

On 22 January 1945 Mr Bherulal Gelda returned.

On 22 January 1945 Mr Kanak Madhukar left for Neemuch.

On 23 January 1945 Mr Bhurilal Baya and associate of him arrived from Bhilwara.

On 23 January 1945 Mr Mohanlal Sukhadia left for Ajmer.

On 22 January 1945 Mr Ishwarlal Khatri arrived from Kankroli.

On 23 January 1945 Mr Ishaq Gunda arrived.

On 23 January 1945 Mr Kanak Madhukar arrived from Chittor.

On 23 January 1945 Mr Chuni Indorewala arrived from Kapasin.

On 23 January 1945 Mr Hukmichand returned from Chittor.

On 23 January 1945 Mr Chandresh Vyas left for Bhilwara.

On 26 January 1945 Mr Mohanlal Sukhadia returned from Bhilwara.

Gulabpura

On 21 January 1945 Mr Bhurilal Baya arrived.

On 21 January 1945 Mr Bhurilal Baya left for Ajmer.

Kapasin

On 17 January 1945 Mr Bhawanishankar left for Mavli and returned on 19 January 1945 with Mr Purushottam Jat.

On 18 January 1945 Mr Fetehlal Chandalia returned from Mavli.

On 23 January 1945 Mr Fatehlal left.

Bigod

On 20 January 1945 Mr Manoharsingh Mehta left for Bhilwara.

(ii) Political and Other Activities in Mewar State During the Week Ending Friday, 10 August 1945

Udaipur City

It is learnt that the Mewar Prajamandal will celebrate the 'Liberty Week' in Mewar from 9 to 21 August. They have prolonged the celebrations in Mewar owing to the fact that arrests in connection with the August disturbances 1942, were begun here on the 21 August. The detailed programme is not yet out....

The 'Liberty Week' was celebrated on 9 August by the Mahila Mandal, Praja Mandal and the Saraswati Mandir. The ceremony of unfurling of the Congress flag was performed by Mr Balwant Singh Mehta at the Praja Mandal office in the morning, and the significance of 9 August was explained. In the evening a meeting was arranged at the Saraswati Mandir under the presidentship of Mr Sadiq Ali Bohra, All-India Congress Committee Office Secretary. In his presidential speech Mr Sadiq Ali explained the significance of the 9 August and dealt with the agitation of 1942 in India and other agitations in France, Russia and other countries. He justified the August disturbances and said that in spite of so many arrests the Congress has come out stronger. Detailed reports in this connection have already been submitted.

(iii) Political and Other Activities in Mewar State During the Week Ending Friday, 17 August 1945

Gulabpura

It is learnt that the members of the Relief Committee celebrated the 'Liberty Week' at their office by unfurling the Congress flag, reciting the national songs and shouting Congress slogans on 10 August.

The members of the Relief Committee again observed the 'Liberty Week' on 11 and 12 August by singing national songs and shouting Congress slogans; Bhanwarlal Bhadade of Bhilwara also joined.

Kankroli

It is reported that Master Shankar Deo Bharti and Miss Anoop Devi together with boys and girls of 'Shikshan Kutir' a registered Society, took-out a procession on the morning of 9 August with the recital of national songs and prayers, and shoutings of Congress slogans. Master Shanker Deo Bharati also announced for a meeting to be held in the evening at the school in connection with the organisation of the students. In the evening a meeting of about 400 persons was held under the presidentship of Mr Shanker Deo Bharati. After the usual recitals of national prayers by the students, speeches were delivered by several persons, exhorting the students to organise and educate themselves well so that they also might work for the independence of their country like other national leaders. The President, Mr Bharati also made a passing remark about the looting of the public by the Government, Courts, Police and Vakils etc. Copies of the detailed reports have already been submitted and S.B. Rajnagar has been asked to verify and report, whether procession etc. were arranged with permission.

Bhilwara

Mr Ramesh Chander Vyas, Rajputana list No. 13, delivered speeches in the Mahila Ashram, Vidya Mandir and the Mill labourer's school on 9 August during the day and at his own residence at night. The speeches were delivered at private places with little chances of eavesdropping but the trend was that they must be well prepared for the next fight of freedom. Troubles about controlled articles were also mentioned.

Rajnagar

The Prajamandalists celebrated 'Liberty Week' by taking out the Congress flag and shouting the Congress slogans.

Pur

It is reported that Mr Kanhayalal, president of the Vidyarthi Sangh, Pur, celebrated the 'Liberty Week' by taking out 'Prabhat Pheri' consisting of about 25 students of the Hindi Middle School and calling a meeting of the students in the evening on 9 August. The President had intimated his decision to observe the 'Liberty Week' on 8 August, but without waiting for the warning which was issued to him on 11 August, he accomplished his decision on 9 August.

City

It is reported that a meeting of about 125 persons was held at the Saraswati Mandir from 7.30 to 9.45 p.m. on 12 August Mr Sadiq Ali Bohra expressed that now when Japan has surrendered the Indians should accomplish their demand for independence.

The following are the abstracts of the news published by the Prajamandalists on their black boards:

On 11 August it was mentioned that the Bhils of Delwara Thikana are firm in their determination of not doing Begar and they related all the troubles to the Collector Udaipur. Only a few Bhils, being tipped by the Thikana favoured Begar. The Collector has submitted his report to the Minister-in-Waiting from whom Mr Bhurilal Baya president Girwar Prajamandal, has also demanded appointment.

On 12 August they published that a committee of 7 persons was formed in a previous meeting of the citizens to convey the complaint of the public to the authorities in connection with the levy of tuition fee in the college. A petition signed by about 6,000 persons has also been submitted to the Prime Minister and a deputation of citizens is also intending to see him.

On 13 August they dealt with (1) the false charges laid on Messrs Pannalal, Udailal Verdia and Gameral by the Salumber Thikana Police and (2) an intercaste widow marriage recently held at Jahazpur.

On 16 August they published that inspite of the fact that green grass is abundant and the price of Ghee is also falling, the rates of milk and curd are still very high and they are not even available to all persons. Their quality is also bad. The Prajamandal resent the undue profiteering of the milk-sellers and advised them to consult about their difficulties with the Praja Mandal who would be ready to help them. S.P. Bhilwara has been asked to report verify.

A notice on cloth showing the time fixed for training in spinning from 7 to 9 a.m. has been set up at the Saraswati Mandir, Kolpole.

(iv) Political and Other Activities in Mewar State During
the Week Ending Friday, 5 October 1945

Khadi Week

Bhilwara

A public meeting was arranged by Mr Bhanwarlal Bhadada under the presidentship of Mr Ramesh Chandra Vyas on 27 September at Bhopal Chhatralaya in connection with the Khadi Week. About 250 persons assembled. Messrs Ramesh Chandra Vyas, Bhanwarlal Bhadada and Rooplal Somani exhorted the audience to follow the constructive programme of Mahatma Gandhi and requested them to produce the promised hand spun yarn in time.

It is reported that Mr Ramesh Chandra Vyas and other local Prajamandal workers met at the Bhopal Chhatralaya on 29 September from 8.30 to 12 noon and recited poems in appreciation of Mahatma Gandhi.

It is reported that a meeting of about 40 ladies was held at Maheshwarion-ka-Bagicha on 30 September under the presidentship of Mrs Sarla Devi Mathur in connection with the Gandhi Jayanti from 9 to 10 p.m.

A meeting of about 60 Mill Labourers was held on 1 October at their school under the presidentship of Mr Rooplal Somani in connection with Gandhi Jayanti. Mr Nitya Nand and a few other persons delivered speeches which threw light on the life and work of Mahatma Gandhi, and advised the labourers to keep their organisation intact.

It is reported that the students of the High School and the Hindi Middle School held a meeting at the Bhopal Chhatralaya on 1 October under the presidentship of Mr Rooplal Somani from 9 a.m. to 12 p.m. Speeches were delivered in which some advocated Independence of India through non-violence while the others through violence.

It is reported that a Kavi Sammelan was held at the Bhopal Chhatralaya on 28 September under the presidentship of Mr Ramesh Chander Ojha. Verses relating to Mahatma Gandhi were recited.

Salumber

The gist of the speeches delivered by Mr Maniklal Verma, (as reported by the CID) men and the Sub-Inspector Bamnia and Pan Ganda) at Dholagi Kheda (21 September), Saispur (23 September) and Salumber (24 & 25 September) is as follows:

(1) That a peoples' Government like that of Russia is going to be established very soon in India, therefore, if the people of Mewar did not wake up, such Government will be delayed here, (2) They should organise and hold fortnightly meetings, (3) They should try for the establishment of school and hospitals in villages, (4) All the money collected from the people by way of taxation should be spent for their benefit, (5) They should not hate the depressed classes but should treat them as their equal, (6) the Begar should be rooted out, (7) They should start industries so that their money may remain in Mewar, (8) The laws prohibiting early and unsuitable marriages are good but as they were promulgated without the assent of the people they are not followed, (9) It is a pity that 40 crores of Indians are afraid of 6 crores of Englishmen. If the cultivators and businessmen determine not to pay any money the British people are nowhere, (10) The rulers of the Indian States have become slaves of the British, therefore, nothing can be expected from them.

City

The spinning programme during the Charka Week (27 September to 3 October) was carried out by the prominent Prajamandal workers at the Saraswati Mandir, Kolpole. Printed leaflets concerning the Charkha Week programme were also distributed in the city.

It is learnt that the Maharana College and the Dhan Mandi Middle School celebrated Gandhi Jayanti on 2 October. The college students numbered about 125 and the Middle School numbered about 200.

A public meeting was held at the Scout Ashram on 2 October in connection with Gandhi Jayanti from 7.30 to 9 p.m. under the presidentship of Mr Mohanlal Sukhadia. M/s Bhawe and Ram Singh, teachers of the Vidya Bhawan delivered speeches about the life and sacrifices of Mahatma Gandhi and expressed that so long capitalism remains, there is no hope of peace, and non-violence is the only means to bring about a permanent peace in the world. Mr Motilal Tejawat said that the ruling Chiefs will be nowhere when India becomes free. Therefore they should realise their position or they will be the losers. The President Mr Mohanlal Sukhadia said that inspite of the Labour Government in England, the Wavell plan is no better than the Cripps proposals. The fact is that the British Government do not want to part with the power. The Capitalist element is still present in them and there is no hope of permanent peace. Miss Mirch also spoke and said that Mahatma Gandhi is much respected by the Britishers. The boys called him 'Uncle' and presented him toys and Chadars when he went to England to join the Round Table Conference.

(v) Political and Other Activities in Mewar State During the Week Ending Friday, 7 December 1945

Nathdwara

Report dated 17 November 1945 from the Sub-Inspector of Police Nathdwara goes to show that Smt Kamla Devi Chattopadhyaya visited Nathdwara by motor car on 17 November with two ladies of Vidya Bhawan. Messrs Narandrapal Singh and Rajnarain received them and took them round the Shri Nathji's temple. She inspected the Sahitya Mandal, Modern School, Harijan School and performed salutation ceremony of the flag at the office of the Vidyarthi Sangh and addressed the students to organise themselves well and help in the formation of a new administration. Then she proceeded towards Kankroli.

Bigod

It is reported that Mr Maniklal Verma of Udaipur arrived from Bhilwara on 26 November and a public meeting was arranged under the presidentship of Mr Motilal Chandalia of Bigod. Mr Muthralal Lohiya spoke of unity and organisation of the people and said that without unity and organisation they would not be able to get their complaints redressed. Mr Maniklal Verma spoke about the disturbances of 1942 and then the removal of ban on the Prajamandal. He said that when the chiefs of 750 Indian States have formed the Narendra Mandal, why the public should not have formed the Prajamandal. He appealed the public to strengthen the hands of the Prajamandal by becoming its members and giving pecuniary help. The Praja Mandal desired to remove the bondage of Mewar by pulling down the Residency flag and hoisting the national flag in its stead. He then appealed the public to attend the States People's Conference at Udaipur and subscribe at least Rs 1,000 from Bigod towards its funds. He also said that the Raja Dhiraj of Baneras had purchased a ticket of Rs 1,001 and he had accepted to sit on the ground with the common people during the session of the Conference. He advised the public to learn to lesson from the Russian Revolution during which the people by their courage and unity and sacrifices could be successful in overthrowing the Czarist Government.

On 27 November, Mr Maniklal Verma left for Begun. He stopped for a few hours at Jojiva and Dhakar Khedi, where he requested the people to attend the Conference and subscribe towards its funds.

Jahazpur

Mr Muthra Prasad Vaid distributed leaflets appealing the people to become members of the Reception Committee....

Mr Muthra Prasad Vaid set up a black board advertising the holding of the State People's Conference at Udaipur.

It is reported that a public meeting of about 125 persons was held at No-Choki on 26 November, under the presidentship of Mr Dhannalal of Pander. M/s Shri Krishna Vakil and Muthra Prasad Vaid delivered speeches explaining corruptions in the Judiciary and the Supply Department. They adversely criticised the British administration in India and demanded the British to quit. They also requested the public to purchase tickets and subscribe towards the funds of the States People's Conference. Thereupon, one of the audience Mr Kajorilal said that they were not going to pay subscriptions to Mr Muthra Prasad Vaid in whom they had no trust.

Another public meeting was arranged by Mr Muthra Prasad Vaid on 27 November in the Bazar under the Presidentship of Mr Ram Prasad Patdia. Mr Muthra Prasad eulogized the services of the Prajamandal and adversely criticised the present administration of Mewar. He assured the public that India was shortly to become independent and the wretched administration of the States would also disappear and that such a rotten government should be ruined. Mr Kajorilal said that their dependence was gradually vanishing and it would not take long to attain Swaraj. The Government was also changing its policy. The Maharaja of Rewa had given all powers to his subjects.

Chittor

It is reported that the Prajamandal workers are collecting subscriptions in connection with the coming States People's Conference

It is reported that a public meeting was held near Golakh-ki-Kacheri on 20 November under the presidentship of Mr Chhaganlal Khatod. Mr Purushottam of Kapasin appealed the public to become members of the Prajamandal in as large a number as possible. Then Mr Maniklal Verma surveyed the present situation of the world by saying that Japan was finished and so was Germany. The Atlantic Charter had also been thrown to winds and the Labour Government was established in England. All their promises to give independence to India met with no result. Indonesia, Malaya, Jawa and Sumatra etc. had been overpowered by the selfish Governments and Indian Army was used to crush their freedom and still they boasted to be democrats and freedom loving. When Burma was conquered by Japan the British armies fled away and no one cared for the Indian Armies who had to surrender to Japan. But they did not like to fight against the British and several persons were shot down. Mr Subhas Chandra Bose reached Singapore in time and formed an Azad Hind Army from the Indian Army personnels and with great diplomacy avoided clash with the Japanese. The Azad Hind Army did not like to serve the purpose of Japan but they were ready to sacrifice their lives to make India independent. When Japan laid down arms the Azad Hind Army came in British hands and it was a shame on the part of British Government that they had started a trial of the INA men who were actuated by the spirit of patriotism and refused to side with the Japanese against the English. He further said that whenever the question of making India independent came, the British had said that the Hindus and the Muslims had not demanded in one voice. Now all the Hindus and Muslims had demanded the release of the INA men with one voice but still the British would not hear. Then he dealt with the affairs of the coming States

People's Conference and appealed the public to attend the Conference and subscribe towards the funds. He further said that they wished that the representatives from the States who would attend the Central Assembly should be elected ones and not nominated. Then a few other citizens also spoke about the mismanagement in the Municipality at Chittor. The Supply Inspector Mr Jai Singh Mehta also said that the Prajamandal was open to both Hindus and Muslims and they had no reasons to be afraid of. He appealed the public to attend the Conference at Udaipur and to give pecuniary support. The meeting was then dispersed amidst the shouts of Congress and INA slogans.

Begun

It is reported that Mr Maniklal Verma arrived at Begun on 27 November and arranged a public meeting under the presidentship of Mr Mangilal Pokherna. Mr Maniklal spoke on the progress the Prajamandal had made and said that the Mewar Government was so much afraid of Pt Jawaharlal Nehru that they had to sanction Rs 5,000 for cleaning the Saletia ground where the session of the All India States People's Conference was going to be held. He requested the public to attend the conference and subscribe towards its funds. He advised the audience to keep unity between the Hindus and Muslims so that they might get independence at an early date. He then proceeded to Basi the next day.

Kankroli

On the morning of 30 November the students of the Lumbardar and Fateh High School in order to make demonstration against the trial of the INA Men, made a round in the city collecting students from the rest of the schools. They took a tri-colour flag from the Hindi Vidyapeeth, recited national songs and shouted Congress and INA slogans. When they reached the Jagdish Chowk political suspect Chimanlal Bordia's son announced that they should disperse then and assemble again outside Surajpole at 10.30 a.m. The College students began to assemble from 10 a.m. and joined the school students outside Surajpole. Then they, all about 1,000 in number, formed into a procession and made a round in the City reciting national songs and shouting Congress and INA slogans. They reached Mehta Park where they held a meeting under the presidentship of Smt Shanta Devi. Mr Shiv Chanran explained the object of their demonstration and expressed sympathy towards the INA men. A few other students also spoke about the demonstration. The meeting dispersed at about 1.30 p.m. The ring leaders of the procession were Messrs Sangram Singh Hiran and Shieo Chanran Kayastha. Some prominent Prajamandalists and girl students also joined the procession in the way and it is believed that Prajamandalists were the real prompters. The students of the Sanskrit school and the Adarsh Vidya Mandir about 150 in number also demonstrated by taking out a procession and reciting national songs and Congress and INA slogans under the leadership of Kumati Kant Joshi in the afternoon.

5. Mysore State

- (i) Letter Dated 6 August 1945 from Inspector General of Police, Mysore to Chief Secretary, Mysore About Meeting Held by Mysore Congress Leaders General & Revenue Secretariat, Confidential Branch CB 56-45, 1 & 2 Collection 35 of 45 1945-46, Karnataka Secretariat Archives, Bangalore.

Government of Mysore

No. S.B. 3/45-46

Office of the Inspector-General of
Police in Mysore, Bangalore.

6 August 1945

To

The Chief Secretary
to the Government of Mysore
Bangalore.

Sir,

Subject: Meeting of the Mysore Congress leaders held at the Congress Office, Bangalore City

In continuation of this office memo of even number and date on the above subject, I have the honour to enclose herewith, for the information of Government, copy of a report dated 6th August 1945 by an officer of the Special Branch, regarding the meeting of the Congress leaders held on the 5th instant.

I have the honour to be,
Sir,

Your most obedient servant,
Inspector-General of Police in Mysore

Subject: Mysore State Congress activities

In continuation of my previous reports re: the above I beg to state that the Congress leaders held a meeting yesterday (5 August 1945) in the Congress office, Cottonpet, Bangalore City.

In addition to the members that attended yesterday Messrs K. Henjarappa and T. Siddalingiah attended today and continued their deliberations.

They discussed a draft of the scheme of work for the current year and they resolved to carry on their activities on the following programme:

- (1) Organisation of students, labour, ryots and artisans with a view to bring them within the orbit of the Mysore Congress and to take interest in their day to day work.
- (2) Intensive propaganda and revival of Taluk Congress Committees by enrolling members and enlisting the sympathy of the public. The Congress Party members of the Local Boards and Legislatures should tour in their respective districts for mobilizing public opinion, collect funds and strengthen the Congress movement in the rural areas.
- (3) The Publicity Branch to be organised with a view to bring out at regular intervals booklets, periodicals and issue press statement and to carry on propaganda in the State. In the light of the present developments in British Indian politics, it was felt, desirable to contact the Indian National Congress, the States' People's Standing Committee and the various Praja Mandals in the States, so that the Mysore Congress may be in line with the progress made outside the State. Mr N.C. Thimma Reddy is placed in charge of the Publicity and External Affairs referred to.
- (4) To carry on constructive work on an intensive scale in the State by starting of District Centres for production of Khadi and organising village industries in each District.

It was decided that the following leaders be placed in charge of work mentioned against their names:

Messrs	K.T. Bhashyam	...	Labour & Artisans
	H. Siddiah	...	Ryots
	T. Siddalingiah	...	Students, Propaganda & Organisational Work
	N.C. Thimma Reddy	...	Publicity & External Affairs
	T. Subramanya	...	Constructive Works

They further decided to open 'A Shikshana Shibira' (Training Centre) at Ummada Halli in Mandya District to train 100 Congressmen one from each Taluk in November this year, in order to equip them to carry on Congress work effectively in the State. Mr A.G. Bandi Gowda was placed in charge of the arrangements for the Training Centre.

A Committee consisting of Messrs K.T. Bhashyam, H.K. Veeranna Gowda and N.C. Thimma Reddy was appointed to draft a syllabus for the Training Centre.

Ways and means to implement the programme of work effectively was discussed and a budget estimate was sanctioned for the same.

Among the major heads of expenditure a sum of Rs 25,000 for Constructive Works, about Rs 12,000 for office, tours and organisational work and Rs 3,000 for publicity, were sanctioned.

The leaders promised to collect the necessary funds from their respective districts and cities with the help of friends in their area. Quota for each district and for each Cities of Bangalore and Mysore was fixed at Rs 5,000. It was agreed to collect the same early and pay it during the President's tour in each District. It was further decided that if more than the required sum, namely, Rs 50,000 for the whole State was collected to it would help enhance the scope of the constructive programme proportionately.

This morning on perusal of an article in the *Hindu* of today (6 August 1945) re: the Prohibitory orders promulgated by the District Magistrate, Mysore, banning public meetings and processions for a period of six months etc., at Mysore, Mr Nijalingappa sent for Mr Bhashaym and other leaders and after consultation with them issued the following statement to the press:

'Immediately on top of the order by the District Magistrate refusing permission to hold the meeting of the Students' Federation comes the prohibitory order of the District Magistrate, Mysore, banning public meetings and processions for a period of six months. The prohibitory order in Mysore City which was passed at the time fixed for holding the Special Session of the Mysore Congress in May 1945 was subsequently withdrawn about a month back and is again imposed on the citizens of Mysore. It is abundantly clear that the Government of Mysore has little respect or regard for the civil liberties of the citizens of the State and that these fundamental liberties are being unceremoniously and ruthlessly trampled and crushed, without such orders being called for or warranted. This reactionary attitude of the Government deserves unqualified condemnation and protest. It is high time that the Government of Mysore cease to play with the rights of the Mysore people. The prohibitory order which was passed in Bangalore City and nearly 3 years ago ought to have been withdrawn long ago. These prohibitory orders are a constant source of provocation and dissatisfaction. They are uncalled for. I wish the Government will take note of the fact that the people are fast becoming intolerant of these indiscriminate encroachments upon their liberties.'

(ii) Fortnightly Report of the Mysore Residency for the First Half of August 1945

Extracts from Fortnightly Reports of the Mysore Residency submitted by Resident Mysore (P. Raisford for the fortnight ending 15 August, 30 September, 30 October, 15 November). Mysore Residency Political Department, Political Branch File No. 6(10) P(s)/45, CRR, NAI.

Political—Mysore State

(a) A private meeting of the Mysore Congress leaders was held on 4 August at the Congress Office, Bangalore City, Mr S. Nijalingappa presiding. A report was made on the talks with the Congress leaders in Simla. Various schemes were discussed for the re-organisation of the Mysore Congress programme in accordance with the advice obtained in Simla, and there was discussion as to the organisation of students, labourers, ryots, merchants and artisans to bring them under the influence of the State Congress. The revival of Taluk and District Congress Committees was also discussed, and it was decided that to implement the 'constructive programme' a Training Centre would be opened at Ummadahalli in Madya District in November to train about 100 Congressmen. A Committee was appointed consisting of Messrs K.T. Bhashyam, H.K. Veeranna Gowda and N.C. Thimma Reddy to draw up a syllabus for the Training Centre.

(b) Reference paragraph 2 (a) of the fortnightly report for the second half of July 1945. The Bangalore Students' Federation were unable to hold their conference in Bangalore City as proposed on the 4th and 5th instant on account of the ban imposed by the District Magistrate of Bangalore. Mr G. Harisarvothama Rao of the Andhra Hindu Mahasabha who was to have presided at the conference arrived in Bangalore on the 5th morning, but as a result of a warning issued by the Deputy Commissioner he made no public speeches and left on the 7th. The Conference was actually held on the 4th instant at a place 9 miles from Bangalore, and was presided over by Mr A.N. Krishna Rao of the Progressive Writers' Association. Messages were read out from Maulana Abul Kalam Azad, Mr Jinaraja Heggade, MLA (Central), Mr P.M. Joshi, Dr T.S.S. Rajan, ex-Congress Minister of Madras, and Mr Satyapal, General Secretary of the All India Students' Congress. An appeal was made for unity among students of Mysore. The resolutions passed contained nothing of unusual interest.

(c) In connection with the observance of 9 August, a flag-hoisting ceremony was conducted at the Bangalore City Congress Office by Mr Nijalingappa, President of the Mysore State Congress. About 50 people including some students attended. A public meeting was held in the evening attended by about 150 people. The Bangalore Students Congress held a meeting in the Central College on the morning of the 9th, and there was a partial strike of students.

(iii) Fortnightly Report of the Mysore Residency for the Second Half of August 1945

Political—Mysore State

(a) The Mysore Government have not yet lifted ban on the Mysore State Congress Committee or on individual members of the Congress. A restriction order was passed on a member of the Working Committee, Mr N.C. Thimma Reddy, on 15 August as he had been indulging in objectionable activities. He disobeyed the restriction order and is being prosecuted.

(b) A public meeting was held in Shimoga on 15 August under the auspices of the Congress, at which amongst others a resolution was passed urging the Government to remove the taxes on areca, tobacco, etc.

(c) In observance of 'Subhas Chandra Bose Day' almost all the Hindu shops in Bangalore City were closed on the 30th of August. A condolence meeting was arranged in the evening by the City Congress Committee and was presided over by Mr S. Nijalingappa, President of the Mysore State Congress. About 450 people attended. Students of the Central College, Engineering College, and several High Schools stayed away from their classes.

(iv) Fortnightly Report of the Mysore Residency for
the Second Half of September 1945

Political—Mysore State

(a) The ban on various Congress organisations was lifted simultaneously in the Mysore State and in the Civil and Military Station on 21 September 1945.

(b) It is reported that Mr Gandhi is to visit Bangalore in the second week of December 1945 to participate in the Silver Jubilee celebrations of the South India Hindi Sahitya Sabha.

(c) Messrs S. Nijalingappa (President, Mysore State Congress), H.C. Dasappa, K.T. Bhashyam and several other State Congressmen attended the All-India Congress Committee Session at Bombay. Mr K.T. Bhashyam was also to attend the meeting of the re-organisation Sub Committee of the All India States Peoples Conference.

(d) Preparations have been made for the celebrations of 'Gandhi Jayanti'.

(e) Mr K.T. Bhashyam in a press statement issued in Bombay criticised the reference made by the Viceroy to Indian States in his recent broadcast. He said that the representatives of States on the Constituent Assembly should be elected by the people and not selected by the Viceroy or the Rulers.

(v) Fortnightly Report of the Mysore Residency for
the Second Half of August 1945

Political—Mysore State

The meeting of the Working Committee of the Mysore Congress was held on 13 and 14 August. Resolutions were passed approving the 'Quit India' Resolution of August 1942; urging that the constituent body proposed by the Viceroy should be composed of elected representatives of the people; condemning the repressive policy (towards Congress) of the Mysore Government and demanding the immediate establishment of a full responsible government in the State; demanding the release of all members of the Indian National Army; protesting against the use of Indian Troops in Indonesia. A meeting of the All Mysore Congress Committee was fixed for 10 and 11 November. A Sub-Committee was appointed to examine the question of 'Karnataka unification'.

(b) Some of the leaders of the Mysore State Congress, including Mr K.T. Bhashyam, intend helping in the election campaign in British India, particularly in the 'Karnataka areas'.

(c) The Mysore State Congress Party intends to launch a campaign to enroll in the Congress at least 10 per cent of the total population of the State.

(vi) Fortnightly Report of the Mysore Residency for
the Second Half of November 1945

Political—Mysore State

(a) The Working Committee of the Mysore Congress met again on 1 November to discuss resolutions to be moved at the All Mysore Congress Committee meeting to be held on the 10th and 11th instant. The latter opened at Franch Rocks on 10 November under the presidency of

Mr S. Nijalingappa. The session has been fully reported in the press. It was attended by about a thousand Congressmen. In his presidential address Mr Nijalingappa observed that the war had not ended as the war for independence in Asia had just begun. He said that the British were not prepared to part with power and were creating unnecessary communal differences. He deplored the unfriendly attitude of the Mysore Government towards the Congress. Several resolutions were then passed, including one congratulating the Ruler of Rewa on the establishment of Responsible Government in his State.

It is understood that Mr Hanumanthiah has been sentenced to one year's rigorous imprisonment.

(c) In connection with 'Indian National Army Day' members of the Students' Congress took out a bicycle procession in Bangalore City. They had arranged for a public meeting in the evening, but it was not allowed by the District Magistrate.

(d) The All Mysore State Students' Conference has been fixed for 17 and 18 November at Mysore. Mr Ashok Mehta, Congress Socialist Leader from Bombay, is expected to preside and Mr S. Nijalingappa, President, Mysore State Congress to inaugurate the conference. It is reported that invitations are to be extended to Mr Brelvi, Editor, *Bombay Chronicle* and to Mr R.P. Diwakar of Dharwar.

(vii) Fortnightly Report of the Mysore Residency for the First Half of December 1945

Political—Mysore State

(a) It has been proposed to hold a joint conference of the members of the Working Committee of the Mysore State Congress, the Cochin State Praja Mandal and the Travancore State Congress at Trichur (Cochin State) on 22 and 23 December.

(b) Mr K.T. Bashyam is expected to attend the All India States' People Conference proposed to be held at Udaipur on 31 December, as the chief delegate from Mysore.

(c) The most important political event in Mysore during the fortnight under report has been the students' Conference at Wanjangud (reference paragraph 2 (c) of the fortnightly report for the second half of November 1945). The star speakers were Mr Ashoka Mehta, a Congress Socialist of Bombay, who presided and Rao Sahib P.S. Patwardhan of Poona who opened the Library and Arts Exhibition. Mr Ashoka Mehta made a highly inflammatory speech of the most objectionable character, advising the students not to bother about fitting themselves for jobs, but to devote themselves entirely to political activities and openly inciting them to revolution against the established government in the state as well as in British India. Rao Sahib Patwardhan was somewhat milder but made several contemptuous references to the Ruler. Mr Ashoka Mehta, apparently apprehending arrest, made a hurried departure from the State after his speech. Rao Sahib Patwardhan has been arrested under Rules 34 and 38 of the Defence of India Rules as applied to Mysore.

About 1,500 students, from all over the State, including 100 girls, attended the Conference. Other outsiders who attended by invitation were Mr Burli Bindu Madhava, a Congress leader of Dharwar, Mrs Patwardhan and Mrs Vasanti Shroff (sister of Mr Ashoka Mehta).

(e) On 11 December about 2,000 students of Bangalore City struck as a protest against the arrest of Rao Sahib Patwardhan. They took out a procession in the City which was orderly. The Civil and Military Station was not affected. It is reported that the students of Bangalore City have started greeting each other with the words 'Jai Hind', bringing the right hand to the chest and then stretching it as full length forward with the palm etc.

6. Resolutions Passed by the All Mysore Congress Committee Held on 11 November 1945

General and Revenue Secretariat, Confidential Branch C.B. 12-45-65, Collection No. 64 of 45, Karnataka State Archives, Bangalore.

1. This Session of the AMCC records with profound sorrow the sad and untimely demise of Srimathi Satyavati Devi, Sjts B.A.R. Krishna Devi and Hirechowti, all of whom worked for the cause of the motherland and died in her service. It conveys its heartfelt condolences to the members of the bereaved families.

2. This Session of the AMCC notes with deep satisfaction the recent announcement by H.H. the Maharaja of Rewa establishing full responsible government in his State and thus showing the way to the Rulers of sister States to satisfy the aspirations of the people in the matter of self-government. This Session wishes further to point out that it is in the interests of the Rulers themselves to share with their people the responsibilities of administration in these trying and troublous times; and the good will and support of their people will be a tower of strength to them. This Session congratulates both the people and the Ruler of the State of Rewa.

3. This Session of the AMCC emphatically protests against the unjust continuance of various prohibitory orders and the promulgation of new ones without any just reason or cause, even after the cessation of hostilities and at a time when there is a general withdrawal of restrictive orders throughout India and demands the immediate withdrawal of the same.

4. This meeting of the AMCC deplores the action of the Government in serving a most unjust order on Sjt N.C. Thimma Reddy and thereafter arresting him for the alleged breach of the same and prosecuting Sjt K. Hanumanthiah, on the eve of the Assembly Sessions and Sjt H.S. Suryanarayana Rao for alleged prejudicial speeches. At a time when the country is faced with a series of crisis in the matter of food, clothing and other essentials of daily life and when the good will and co-operation of the people would be an invaluable asset to the State, it is really unfortunate that the State should embitter the feelings of the people of the State by such uncalled for and provocative interference with the liberties of the subjects of the State.

5. This Session of the AMCC notes with deep concern the orders against *Janavani* and *Prajamata* asking them to show cause why their security amounts should not be forfeited and against *Viswakarnataka* to show cause why a demand should not be made for the deposit of security, for throwing light on the unfortunate and avoidable famine conditions prevailing in some parts of the State. This meeting congratulates these papers for fearlessly espousing the cause of the hunger-stricken masses. This meeting is emphatically of opinion that the maintenance of the freedom of the Press is essential for the safety and progress of the people and that the grievances of the people should be allowed to be ventilated freely and without fear.

6. This Session of the AMCC urges the government to release the unfortunate prisoners of Issur, Sravanabelagula, Tirtur and Davangere cases who are still undergoing incarceration and brings to the notice of the Government, of among other matters (i) the action taken by the Central Government of India and the various Provincial Governments in the matter of release of political prisoners and remitting and commuting sentences of imprisonment and (ii) the feelings of the general public throughout the country. This meeting declares that with the changing conditions towards complete peace and tranquility, the continued incarceration of these unfortunate persons is neither desirable nor essential. This meeting of the AMCC urges their immediate release.

7. This meeting of the AMCC is deeply grieved at the various hardships and difficulties that the unfortunate victims of various internment and externment orders in the State are undergoing. This Session expresses its sense of deep sympathy with them in their hour of trial and suffering.

This Session is emphatically of opinion that such inroads into the liberties of our countrymen are detrimental to peace and progress and is not in consonance with the spirit of the times. This meeting has reluctantly come to the conclusion that the continuance of such orders is more in the nature of vindictiveness rather than of prevention and demands the immediate withdrawal of the said orders.

No. SB.3/45-46

Bangalore, 3 November 1945

Copy forwarded, with compliments, to the Chief Secretary to the Government of Mysore, Bangalore, for information, in continuation of this office even no. dated 2 November 1945.

Inspector-General of Police
In Mysore

7. Report on the Political Developments in the Mysore State During 1945

I.G. Police, Mysore (S. Narayana Rao) report D.O. No. SB/835/45-46 submitted to Chief Secretary (V. Vedavyasacharya), Government of Mysore, Bangalore. Mysore Residency, General & Revenue Secretariat (Confidential Branch), GB 12-35-82 year 1945-46, Collection No. 86/45.

The year 1945

The early part of 1945 was completely occupied by the Congress in election propaganda work. The Congress secured only 130 seats out of 310 in the R.A. and keen disappointment was felt at the low percentage of seats secured by the Congress. Similar disappointment was felt on the results of elections to the Legislative Council, where also they could not secure a majority.

In March 1945, Mr T. Subramanyam released the correspondence that passed between him and the Government from January 1944, to February 1945 regarding the removal of the ban on the Congress organisation, removal of disqualifications on certain persons, restoration of sannads etc. The General Secretary of the Congress while releasing the correspondence to the press observed that much water had flown between the Congress President and the Government but cleaned nothing.

On 30 April and 1 May, the Working Committee of the Mysore Congress met at the Congress office and passed the following resolutions:

- (1) Demanding the immediate release of Isoor and Sravanabelagola and other prisoners—especially the women prisoners.
- (2) Formation of a Sub-Committee to carry on actively the constructive programme of the Congress through the State.
- (3) Defining the goal of Mysore Congress as the achievement of responsible government.
- (4) Condemning various prohibitory orders and bans and demanding their withdrawal.
- (5) Condemning the food policy of the Government in the State.

As the Working Committee of the Mysore Congress had been declared an unlawful association and the meeting was held in contravention of the Government Order No. 619/CB, dated 9 August 1942, a case was registered by the Bangalore City Police against Messrs T. Subramanyam, K.T. Bhashyam, S. Nijalingappa, A.G. Bandi Gowda, M. Hutche Gowda, K.R. Madhava Rao, H. Siddiah, S. Channiah, K. Henjarappa, A.G. Ramachandra Rao and H.K. Veeranna Gowda, members of the Working Committee under Section 12 (1) of the Mysore Police Act read with S. No. 11 of the same Act. But the case was, however, withdrawn as per Government Notification.

Consequent on the relinquishment of presidentship by Mr T. Subramanyam and the election of Mr S. Nijalingappa as President of the Congress and in view of the persistent demand from Congress workers to hold a special session of the Congress, the same was held at Tumkur on 15, 16 and 17 June, when several important resolutions were passed, the chief among them, relating to— (1) the establishment of responsible government in the State and (2) the removal of ban on Congress organisation and the withdrawal of prohibitory orders. Some members suggested the immediate violation of the prohibitory orders, but the suggestion was not accepted. It was also decided to accelerate Congress propaganda in the State by the formation of District Congress Workers' Associations in place of District Congress Committees which were banned by the Government.

As Mr N.C. Thimma Reddy, a member of the Working Committee was continuously indulging in objectionable activities, the Government passed an order on 15 August 1945 under the Restriction & Detention Act (1945) restricting his movements to the Nagasandra village, Goribidnur Taluk for a period of 6 months and prohibiting him from making public speeches etc. He was removed to Nagasandra village on the 18th; but as he immediately violated the order, he was arrested and prosecuted under section 2(6) of the Restriction & Detention Act by the Kolar District Police. The case is still pending in Court.

In September 1945, the Mysore Congress leaders submitted a memorandum to the Indian National Congress leaders who had assembled for the AICC Session at Bombay stating that the prevailing 'autocratic rule' in the State should be put an end to, and the States allowed to have representative governments. They further suggested that the All India Congress leaders should do their utmost to safeguard the interests of States' peoples by demanding that only elected representatives from the States should be sent to the proposed Constituent Assembly.

During the same month, the Government issued a notification canceling their order declaring the All India Congress Committee, the All-Mysore Congress Committee, the Working Committee of the Mysore Congress, the District & City Congress Committees as unlawful Associations. This enabled the Congress organisation to carry on their propaganda openly and on an intensive scale.

During October 1945 Mr K. Hanumanthiah was prosecuted under Rules 34 & 38 of the Defence of India Rules for a seditious speech he made on 15 August 1945 at Sagar. He was subsequently (on 14 November 1945) convicted to one year's R.I. and the sentence was reduced to 6 months' R.I. on appeal.

On the 13th and 14th of the same month, the Working Committee of the Mysore Congress passed resolutions approving the 'Quit India' resolution of August 1942, demanding immediate establishment of responsible government in the State, and that elected representatives of the States should go to the Constituent Assembly.

The AMCC (All-Mysore Congress Committee) Session which was held in November 1945 at Kyathanahalli ratified the above resolutions.

During the year, the labour situation in Kolar Gold Fields showed signs of deterioration. Consequent on the break-down of conciliation on the question of Service Gratuity, the workers of all the mines struck work from 21 May 1945. The strike continued peacefully and on the assurance given by the Government to establish an Arbitration Court to settle the dispute, the strike ended in the 3rd week of June 1945.

Another important development during the year was the organisation and growth of the Students' Congress in the State. The first Conference of the Bangalore Students' Congress was held on 21 July 1945 at the Congress Office, Bangalore City, with Professor N.G. Ranga, MLA (Central) as President. Mr Ranga made a vehement speech, appealing to the students to rally round the Indian National Congress in its fight for freedom.

The All-Mysore Students' Conference was held on 8 December 1945 with Mr Ashoka Mehta, a Congress Socialist of Bombay as President. Rao Saheb Achyut Patwardhan of Maharashtra, who opened the Liberty and Arts Exhibition which had been arranged as an adjunct, made a highly objectionable speech, for which he was proceeded against under Rule 34 & 38 of the Defence of India Rules, But the case was withdrawn on his tendering an apology.

S. Narayanan Rao Esq. M.A.
Inspector General of Police

8. Presidential Speech of Sheikh Abdullah at All Jammu & Kashmir National Conference¹, Kashmir, 4 August 1945

Leader, 5 August 1945.

Sapora (Kashmir), 4 August. Presenting what may be called the Magna Carta for all the Indian States, Sheikh Mohammad Abdullah, known to his people as the Lion of Kashmir outlined the democratic demand in his presidential address at the 6th All Jammu and Kashmir National Conference which opened its momentous session here yesterday against the picturesque background of the Wular Lake.

Sheikh Abdullah demanded of the State Government the establishment at an early date of a wholly elected National Assembly on the basis of adult franchise and a Cabinet responsible to the legislature. This was the only type of Government, he said, which could command the confidence of the people and build the edifice of the future.

The national Conference drew up a constitution for the State last year and reinforced it with a national economic plan. It envisaged the future of a new Kashmir in both political and economic terms. The scheme is based on the democratic principle of responsible government with the elective principle applied from the local Panchayat right up to the National Assembly. This is linked up with the Independence of the judiciary, and the ultimate responsibility of the executive to the people.

In the economic sphere, the Conference has adopted the principle that planned economy is the essence of progress, and that without it there can be no raising of the standard of living of the masses of the state.

Pressing his demand for acceptance by the Maharaja Sheikh Abdullah said it was lack of responsible Government which accounted for inefficiency and corruption in the administration of the State. The working of rationing and control was in a scandalous state. Corruption prevailed all round and the necessities of life had been cornered by hoarders and people were at the mercy of the profiteers and the black-marketeers.

The National Conference fully aware of its responsibilities to the people in these dire times had buried its differences with the administration and in order to stand between starvation and the people, had taken control of food and fuel distribution, said Sheikh Abdullah.

He went on: 'Once again the opportunity of showing our willingness to take responsibility arose when, in October 1944, His Highness decided to appoint two popular ministers from the panel submitted by the popular parties represented in the Legislature. It was an experiment which we were willing to cooperate with in order to explore the possibilities of serving our people. Towards that end we sent in Mirza Afzal Beg as our representative on behalf of the National Conference. It was accepted as a gesture in response to the measure which His Highness sought to initiate.

'The Portfolio allotted to the popular minister who was our representative and enjoys the confidence of millions of the Kashmir people constitutes the PWD, Stationary and Printing, state

property in British India, with municipalities and town areas. Even in this full local self-government portfolio was not given to him. The Panchayats, which are the keystone of any democratic structure, were withheld from his control. As would be noticed, no nation-building department was allotted to him, and it is only through nation-building departments that real service can be done.

'This invidious distribution of portfolios needs our emphatic protest, and I do take this opportunity of pressing this fact on His Highness' attention because we of the National Conference interpret it in the light of an attempt to keep the popular minister away from the real good he can do to the people.

'In spite of all these limitations, our minister has been able to initiate a bill towards municipal reform which is awaiting the normal legislative procedure before it gets through. To his credit, he has kept successfully pressing for a democratic slant in the handling of departmental matters, and judging from those results also, in so far as he was able to press the people's point of view, the experiment justifies its extension and making the entire Cabinet an elected and responsible body!'

Adverting to the Indian political situation, Sheikh Abdullah said everyone knows in a country of the size of India, as long as social, political and cultural revolution did not take place there could be no salvation for 40 crores of its inhabitants. He deplored the failure of the Simla Conference but welcomed the release from the prison of the Congress leaders. With their constructive efforts are bound the great hopes of the people.

'Today the two highest reactionary enemies of the Independence of India, Amery and Churchill, have been removed. The general elections in England have brought Attlee and his Labour colleagues into places of power, which gives them the opportunity to implement the promise of their past. This brings in a ray of hope following the disappointment of the Simla Conference.'

Continuing Sheikh Abdullah appealed to the two major political parties of India, the Congress and the League, and their leaders, to find a way to agreement and bridge over differences which act as a brake to our progress.

We as Indian state subjects, have no right to comment or directly interfere in the politics and the nature of the difference in British India, or take sides in it, but collectively speaking our destinies and our final liberation are bound up with the freedom of India itself. Therefore, it is our natural wish that the controversies of India may find speedy solution and that organisations setting aside their conflicts and controversies may march forward in cooperation and comradeship. My earnest appeal to them is that when finally they know that the mountains which bar their path to progress will only be climbed by mutual agreement, why not do it immediately and win for the 40 crores of our people the blessings of freedom. Agreement of the major parties will solve the deadlock and put India on the path of its final assault on imperialism.

In conclusion Sheikh Abdullah urged His Highness' Government to order immediate general elections in the State. The present assembly, elected in 1938 did not reflect the condition of the country and the will of the electorate.

¹ All Jammu and Kashmir Muslim Conference was founded in 1932. Its first session was held at Srinagar 15-17 October 1932. It reflected the dominant opinion of the Muslim upper and middle class in the State. In a special session at Srinagar on 10 June 1939 it transformed itself into All Jammu and Kashmir National Conference opening its doors to all communities. Prominent among its members were Sheikh Mohammad Abdullah, Ghulam Abbas, Bakshi Ghulam Mohammad and G.M. Sadiq.



9. Press Reporting on Annual Session (Sixth) of Jammu and Kashmir National Conference, 3–4 August 1945

Amrita Bazar Patrika, 8 August 1945.

Sopore (Kashmir), 5 August. A demand for full responsible government in Kashmir was made through a resolution adopted at the second day's session of the Kashmir National Conference.

The resolution stated that the problems of hunger, unemployment and corruption were of a nature which could not be solved by mere 'tinkering with the constitution'. These problems demanded a fundamental change in the structure of Government as a pre-requisite for the all-round betterment of the people.

The resolution while appreciating Maharaja's action in appointing two popular ministers said that it did not in any way meet the pressing exigencies of time.

The conference considered that it was its most immediate task to mobilize the people on the basis of the demand for full responsible government.

The Conference urged the Maharaja and his government to take a bold step and establish a genuinely democratic regime.

The Conference demanded immediate election to the State assembly on the basis of adult franchise, leading to the formation of a completely popular cabinet, the abolition of the nominated element and the submission of the army budget and jagir affairs to the Assembly vote.

The National Conference has directed all its districts, tahsil and village Committees to demand through mass meetings and by other political demonstrations the fulfillment of these demands and has appealed to all the Kashmiris to make common cause for the achievement of this goal.

The Kashmir National Conference was inaugurated by Khan Abdul Ghaffar Khan, the Pathan leader, at Sopore close to Wular Lake, one of the biggest and most beautiful lakes of Asia.

Thousands of villagers trickled long distances to the Conference place. Several hundred delegates from all over Kashmir and Jammu were present.

The President elect was taken in procession through the town. Numerous welcome arches gaily decorated with silks and velvet punctuated the processional route. The band played and the humble village folk blew their pipes and best drums amid the thunder of crackers.

Khan Abdul Ghaffar Khan paid a glowing tribute to the work of the Kashmir National Conference during the past years under the guidance of Sheikh Abdullah. He said when he came to Kashmir 20 years ago things were different from today. The Kashmiris then were extremely fear-ridden. Now they are beginning to hold their heads high.

Khan Abdul Ghaffar Khan referred to the fast changing world conditions and said the alliance between Britain, America and Russia was strange. Although both Britain and America are imperialist powers there is misunderstanding even between them but in Russia there is the Government of workers and peasants. Even Hitler was not so dangerous for Britain and America.

He said it has been his long-held belief that God had sent war to this world to break the shackles of subjugated peoples by weakening cruel and dominating powers by mutual war and destruction. He stood by that belief even now.

He said, 'we are living in a revolutionary age and the people should work for the coming revolution or they will be swept away as though by a flood.' 'Revolution', he said, 'helps only those who are never vigilant to take advantage of it.'

Khan Abdul Ghaffar Khan referred to ugly scenes at Wednesday procession in Srinagar.

He said, as they were sailing in a river procession, he saw, policemen standing among disturbers who were throwing stones at the procession. He at first thought that the policemen were there to

keep order and stop the disturbers but policemen passively looked on stone throwers. It looked as though policemen were there to protect disturbers.

Khan Abdul Ghaffar said, 'In the Frontier from time to time men from other parts come and say all the manner of bad things which are harder for Khudai Khidmatgars to tolerate. If we like we can make any such meeting impossible but I have issued strict instructions to Khudai Khidmatgars not only not to create any disturbances but to see to it that such hostile meetings are conducted in peace.

'We actively believe in democracy and we concede willingly that right to others. Those who come from outside we regard as guests and treat them as such, however, much they may abuse us.'

Referring to the trouble in Srinagar on the first of August he said, the authorities knew days in advance about the expected trouble but they did not take any action.

The Kashmir State Government had great responsibility. It was supposed to be an Indian Government. They must see to it that such things were not encouraged.

He condemned those who threw stones and said that their action was against the spirit and tradition of Islam. He asked how such thing could ever help the Muslims or Islam.—API.

The Kashmir National Conference passed a resolution condemning 'the highhanded and provocative action of the Punjab Government in subjecting a leader of Abdul Ghaffar Khan's eminence to humiliating treatment.'

The Conference demanded that any officers who had been responsible for this action on their own initiative should be given exemplary punishment. The Conference feels that 'this incident regrettable in itself has drawn Indians' attention and that in the context of such happening no so-called popular ministers in the Punjab can claim to represent the people'.

The Conference further demanded unqualified apology from the Punjab Government.

Resolutions

The open session of the Jammu and Kashmir National Conference today, states a UP message, passed a resolution demanding appointment of a Commission of experts and representatives of workers to investigate causes which rendered thousands of silk factory workers in Srinagar inactive for the major part of the year and to find out ways and means of providing work for them.

The resolution further demanded adoption of all international conventions and Indian labour laws in state and enforcement of a system of wages in proportion to rising prices.

Sopore witnessed a second historic procession yesterday, adds a UP message, when Pandit Jawaharlal Nehru who arrived here was taken out in a car along the main bazaar of the town which was tastefully decorated with buntings, arches, etc. Bands were played en route and crackers shot up. Women sang Kashmiri songs in honour of Pandit Nehru. With Pandit Nehru was seated Sheikh Abdullah and both of them were profusely garlanded. The Hindu organisation also received Pandit Nehru and garlanded him. The procession was three mile long.

'I think that the freedom of Kashmir is linked up with Indian freedom. The fate of Kashmir is bound up with India,' observed Pandit Jawaharlal Nehru addressing the open session of Jammu and Kashmir National Conference.

'If the Kashmiris want freedom of their country, continued Pandit Nehru, 'they should join the National Conference in large number. The National Conference is a powerful body in the State and it is a matter of pleasure that in an Indian State such an influential and strong organisation exists. It is difficult for political bodies to work in Indian states, but in Kashmir State the National Conference has passed all tests successfully.

'The National Conference is open to all irrespective of colour and creed. I am glad that a number of Kashmiri Pandits have joined it. In Kashmir, Muslims are in great majority and it is but natural that the Muslims would predominate in the Conference.

'If any one has got difference of opinion with the National Conference he should not ignore the basic principles for which the Conference stands,' he added.

He then said that long time ago he had difference of opinion with the colleagues but that did not make him lose sight of the basic principles of the Congress.

Pandit Nehru paid glowing tributes to the leadership of Sheikh Mohammad Abdullah and congratulated the kashmiris for having such a leader.

He referred to the August Movement and congratulated Kashmir for raising its voice along with the whole of India.

The Jammu and Kashmir National Conference in the open session passed a resolution condemning the 'inhuman treatment' meted out to harijans who form a large proportion of population in the State. The resolution demanded the Government to improve their condition and asked the public to treat them well.

By another resolution the ugly demonstrations made by the Muslim Conference adherents at Srinagar on August 1 in connection with the river procession of Maulana Azad and Pandit Nehru were condemned in very strong terms.

Performing the flag-hoisting ceremony Khan Abdus Samad Khan, the Baluchistan leader, said that the Kashmir National Conference and Sheikh Abdullah were responsible for political awakening in the State. He added, 'The down-trodden people have rallied round the National Conference because they knew that this is the only party in the State which serves their interests and the cause of genuine democracy in Kashmir.'

10. Resolutions Adopted by the Standing Committee of All India State People's Conference, 6-8 August 1945

The Standing Committee of All India States' People's Conference (henceforward AISPC) held in Srinagar under the Presidentship of Jawaharlal Nehru and adopted the resolutions. *All India States' Peoples Conference Resolutions* by Jainarain Vyas, General Secretary, AISPC, Jodhpur, AISPC Papers, NMML.

Resolution No. 1 Reorganization of the Conference

The Standing Committee is of opinion that the reorganization of the Conference is necessary so as to provide for the affiliation and recognition of the various States' people's organisations in the Country. For this purpose a sub-committee be formed and be requested to submit its report to the Standing Committee by 15 October. The various Prajamandals and States' People's organisations in touch with AISPC should be consulted and suggestions invited for the purpose. Such suggestions to reach the Working Secretary by 15 September. The Committee to consist of the following:

1. Jainarayan Vyas Secretary and Convener
2. Dr Pattabhi Sitaramayya
3. A representative from Jammu and Kashmir National Conference to be nominated by its President Sheikh Mohammad Abdullah.
4. K.T. Bhashyam, Mysore
5. Acharya Narendradeoji

The President is authorized to add to or to substitute one name for other in case any necessity for this arises.

Resolution No. 2 Provisional Arrangement

In view of the fact that it is proposed to reorganize the Conference in the near future permanent arrangements should be postponed till such reorganization; but provisional arrangements are necessary to carry on the work of the Conference. Immediately for this purpose Mr Jainarayan Vyas, Secretary be appointed the working Secretary in charge of the office. Mr Vyas is authorized to locate the office at a place convenient to him. The permanent location of the office will be decided later; but the standing committee was generally of opinion that the office should be located at Delhi, Allahabad or Bombay. In this matter, as in others the opinions of the constituent States organisations should be invited.

Resolution No. 3 Affiliation

The Secretary should immediately get into touch with the various State organisations in the country and ask them if they desire affiliation with the AISPC. Though the conditions of affiliation may be revised in the new constitution to be framed, the response to this enquiry will enable the Standing Committee to form a clear idea of the future organisation.

Resolution No. 4 Holding of Full Session

The Standing committee is of opinion that it is desirable to hold a full session of the Conference, which has been postponed so long owing to extra-ordinary events, as early as possible. Such a Conference should be held after the new constitution has been drawn up and for its final adoption. For this purpose the Secretary should invite various constituent organisations for their suggestions as to the venue. It may be necessary to hold a convention of the States' Workers prior to the Conference. This matter should be placed before the next meeting of the Standing Committee with the suggestions of the various constituent units in regard to venue, date and other matters.

Resolution No. 5 Funds, etc.

In order to carry on the work of the Conference satisfactorily and efficiently the Secretary should, in consultation with the President engage necessary staff, and also arrange for the compilation of a report of the various activities and occurrences in the States during the last 3 years. A sum of Rs 10,000 at least is necessary for the work of the Conference till the end of this year. The various constituent units should be approached immediately to contribute towards this fund. In future arrangements should be made for the normal income of the Conference to be drawn from fixed annual contributions from the units which should be laid down in the constitution or the bye-laws; but which may be varied from time to time. The amount so collected should be credited in the bank in the name of the president of the Conference.

Resolution No. 6 Greetings to Jammu & Kashmir National Conference

The Standing Committee offers greetings and congratulations to the Jammu and Kashmir National Conference on its outstanding success in awakening and organising the masses of the state, which is so rich in its history and its natural beauty and its potential resources. The Committee specially appreciates the broad vision which has inspired the Jammu and Kashmir National Conference and its leader and president Sheikh Mohammad Abdullah in building up a national organisation on a mass basis with a view to transforming the state into a prosperous and new Kashmir based on the progress and well being of the masses.

Resolution No. 7 Reiteration of Policy

The Standing Committee, meeting after more than three years, during which period abnormal conditions and intense repression on the part of various Governments and states made a meeting impossible has surveyed the course of events and the development of the movement of freedom in the States in relation to the All India National movement and the international situation. These 3 years have witnessed vast changes in the global war, the defeat of fascist Italy and Nazi Germany, and the release of revolutionary forces all over Europe and in Asia. New forces and new ideas are at work everywhere and are challenging old and out-of-date systems and institutions. Even in conservative and imperialist Britain the recent general election and the overwhelming victory of the Labour Party have demonstrated that great and far-reaching changes have come over the minds of the people of Great Britain.

In Asia also vast forces are at work for the ending of colonial imperialism and exploitation, though they have been kept in check to some extent by the continuation of the war against Japan and by declared policy of the imperialist powers to retain their old empires. As in Europe the end of this war will release these forces, and unless a fresh adjustment is made on the basis of national democratic freedom and racial equality, future conflict on a vast seems inevitable.

In India a mighty movement aiming at national freedom and full co-operation with the freedom-loving and democratic forces of the world, has demonstrated the passionate desire of the Indian masses for freedom and for riddance of a system which has brought misery and starvation to hundreds of millions, culminating in the final tragedy of the Bengal famine. Though that movement was suppressed by military might and violence in all its extremist and most inhuman forms, the Committee has no doubt that India has gained in strength and dignities by this passionate assertion of the people's urges and will. The people of the Indian States played a notable part in this all India movement and, in common with the rest of their countrymen, had their full share in the repression that followed. This Committee congratulates the people of the States for the part they took in the national struggle and pays its homage to their martyrs and sympathises with those who suffered. From this historic struggle, in which hundreds of thousands of people in the States took active part, the States' people have emerged with added strength and clearer vision.

India stands today on the threshold of great changes which will inevitably affect the States. Whatever these changes in the near future might be, it is certain that the movement for freedom in the country cannot halt of rest till the final goal of full democratic independence is reached, and till all relics of feudalism are removed from all parts of the country, and the people as a whole can live a free unfettered and progressive life. No arrangement made by the British Government in the past, or by any other authority, can be allowed to come in the way of this destiny of the Indian people, in which all the people of the States must inevitably be full sharers. No other settlement of the Indian problem is compatible with Indian conditions or world conditions or with world peace.

The Standing Committee reiterates that the objective of the people of the States is the establishment of full responsible government in the States as integral parts of India. The major States would form democratic autonomous units in a free and federated India. The Ludhiana Conference pointed out that any such unit must of necessity be large enough and capable enough of functioning as a unit of the federation, and all such States as are not large enough or are incapable of functioning as proper political and economic units must necessarily be absorbed in the provincial units or be grouped together, where feasible and practicable, to form a unit of the federation. In a final reorganisation of the States, as well as of the rest of India, cultural affiliations will have to be borne in mind.

By that objective the Standing Committee stands, and in this hour of change in India, Asia and the World, it calls upon the people of the States to prepare themselves in every way by organisation

and otherwise, to realise this objective and to be ready to assume the burdens and responsibilities that this will involve. The Committee trusts that the Rulers of the States will also realise that there is no other way open to them or to their people and will co-operate in this great and noble endeavour, which has the promise of redeeming a hundred million people from utter poverty and the life of a suppressed and subject people.

Resolution No. 8 Shri Shrideva Suman

The Standing Committee has been informed of the facts concerning the arrest, conviction, hunger-strike and death of Shri Shrideva Suman of Tehri Garhwal. The Committee feels that the very arrest of Syt Sumana was unwarranted and the treatment meted out to him after that was most vindictive and inhuman. The attitude of the Government of Tehri of not permitting interviews to friends and relatives of Shri Shrideva Suman during his hungerstrike (which lasted according to the State for 69 days) and its action of secretly disposing of his dead body leaves no ground for any doubt that the Government of Tehri did not discharge its duty towards him and was therefore responsible for the death of Shri Shrideva Suman. The Committee strongly condemns the Tehri Government for their cruel treatment of and inhuman attitude towards Shri Shrideva Suman.

Resolution No. 9 Repressive Policy in States

The Standing Committee notes with regret that in spite of the changed and the changing situation today many Indian States are continuing in their repressive activities towards the people of their States in denying them Civil Liberties, and in using various medieval methods to suppress the popular movements of the people. Arrests without trial have taken place in many places, people's organisations are banned, there are restriction on public meetings, demonstrations and the Press, the movements of individuals have been restricted and confined and in some cases they been extended from the States. The Committee urges upon the Rulers to put an end to this repressive policy, which can only lead to increasing conflict and put themselves in line with the inevitable changes that are coming by removing all bans on popular movements and individuals, establishing civil liberties and releasing all political prisoners and detenues.

Resolution No. 10 Bhils in Central India

The Standing Committee has noted with regret the treatment meted out to the Bhils by some States in Central India, notably Jhabua State. The Bhils being a backward tribal community are deserving of special protection and encouragement by the states and by all more advanced groups and communities. Instead of this protection, which is their due, they have had to suffer continuous and intense repression from the Jhabua State which resulted to firing on innocent Bhils in 1941 and which has since been aimed at crushing the reform movement among the Bhils and reducing them to the position of slaves and chattels. The Committee especially regrets that the Indore Government has been made an instrument to further the Jhabua State's policy of repression on the Bhils and has in this connection externed Pt Baleshwardayalu, a State subject, who is a prominent social reformer and humanitarian and founder of the Rajasthan Bhil Sewak Sangh Ramnia, who has for the last eight years laboured for the uplift of the Bhils and successfully carried our anti-forced labour and anti-liquor work. The pretext given for this unjust action, taken under external pressure, has been that Pt Baleshwardayalu has been acting in a manner prejudicial to the Indore Government's relations with Jhabua State. The committee trusts that the Maharaja of Indore will set this grave injustice aright and will in no way help the anti-Bhil policy of Jhabua State.

The Committee authorizes the working secretary to collect further details of Bhil activities, of the reform movements among them, and the repression of the Bhils in Jhabua and other states.

Resolution No. 11 Bharatpur

The Standing Committee has noted with regret that the Bharatpur Government has arrested 18 workers of the Bharatpur Rajya Praja Parishad and that Syt Ale Mohammed, President of the Parisad, and Shriyut Yugalkishore Chaturvedi, leader of the opposition in the Assembly have been sentenced to heavy terms of imprisonment for speeches on the food problem. Further that some students have also been arrested. This policy of the Bharatpur Government, at a time when normal working and a joint effort to solve the food crisis is essential, is likely to worsen the situation and aggravate the crisis. The Committee urges upon the Maharaja of Bharatpur to interest himself personally in the matter of solving the food problem and have those arrested or convicted released.

Resolution No. 12 Hyderabad

The Standing Committee has noted and wishes to draw public attention to two declarations made by H.E.H. the Nizam in the *Subeh Deccan* paper of Hyderabad dated 26 July, 1944 and 29 July, 1944. The first of these declarations as translated runs as follows:

'Responsible Government' as distinct from representative Government cannot under any conditions be established in those Indian States which have either contracted friendly relations with the British Government under historical treaties or are under the protection of the Paramount Power particularly in the Deccan for the conditions peculiar to them. Their status, position or admitted dignity not only vary with others but have their own importance and significance. In these circumstances the problem does not call for any elucidation for what is known need not be told.'

Three days after this declaration an elucidation of this was issued by H.E.H. the Nizam in the course of which it was stated that the words 'particularly in the Deccan' appearing in the previous article meant Hyderabad Deccan. Further it went on to say:

In short, signs and symptoms indicate that it is impossible that the Indian states will at any time sever the ties of their historical alliance with the paramount power, as history shows that the very existence of their order depends on the British Government. Reason and statesmanship, therefore, demand that a boon like this, implying as it does their own well being, should not be given up. This is an admitted fact and cannot be denied.

The Committee is in full agreement with H.E.H. that the existence of the Princely order in India has depended and depends on the British Governments and further that the alliance of the Princely order with the paramount power has protected that order and may be regarded by them as a boon 'implying as it does their own well being'. The Committee however does not agree with the other inferences drawn by H.E.H. from this fact. The fundamental question is whether the future of the Indian states should be considered from the point of view of the personal well-being and prosperity of the rulers of the States or that of the well-being and prosperity of their people. It is clear to the Committee and recognised by all concerned, even including the British Government, that the final test can only be the progress and well-being of the people as a whole. If that is the test, then H.E.H. the Nizam's argument has no substance in it and if the two respective well-beings conflict the people's well-being must prevail. It is only after the latter has been provided for that the well-being of the ruler can be considered.

The Committee regrets that the ruler of the premier state of India should advance an argument so little in keeping both with ancient and modern ideas of government and opposed to the claims of humanity, freedom and democracy alike. It is manifest that the present ties which have subsisted for a considerable time between India as a whole and Britain and between the Indian States and Britain cannot last. They are loosening already and likely to end soon. In such a state of affairs the ruler must necessarily depend on the goodwill of the people and not on foreign assistance for his continuance in his possessions.

In view of the numerous utterances of world Statesmen and of the United Nations in the course of the world war it is exceedingly strange that an Indian Ruler should talk in terms of complete opposition to all these declarations and should forecast a perpetual authoritarian Rule for himself. It is for the British Government and its statesmen to declare how far the H.E.H. the Nizam's declarations fit in with the British Government's policy and the United Nations declarations in regard to democracy and freedom. So far as the people of the States are concerned they have declared repeatedly and emphatically, in common with the rest of their countrymen, in favour of full responsible government which necessarily involves a democratic form of government.

The Standing Committee cannot, therefore, accept in any way what-so-ever the statement that 'responsible government cannot under any conditions be established in those Indian States which have either contracted friendly relations with the British Government under historical treaties or are under the protection of the paramount power.'

It is well recognised that these treaties cannot possibly be allowed to come in the way of the growth of the people and the development of free institutions among them. As for the protection of the paramount power the latter has always been in law and fact the Central Government in India either in the days of the East India Company or subsequently India including the States was always treated as a single whole by the British Government and was transferred as a whole to the British Crown when the East India Company ceased to exist. It was only by the Government of India Act of 1935 that a difference was made between the relations of Indian States and the rest of India with the British authority, and the office of Crown representative was first created to emphasize this distinction which in history, law or constitutional development, has no justification what-so-ever.

Resolution No. 13 Kalat State

The Standing Committee has been informed that the Government of the Kalat State has pursued a policy of harassment towards the State National Party which has prevented the functioning of that party in the State. The president of the National party, Mr Abdul Rahim Khan and other leading workers of the State have been forced to migrate from the State and settle outside its borders. The entry of certain nationalists from Baluchistan has also been prohibited. The Committee disapproves of this policy and urges upon the Khan of Kalat that, in view of present conditions and the impending changes all over India and the world, he should cancel all such restrictions and permit civil liberties and the peaceful and legitimate activities of the National Party.

11. Resolution Passed by the Cochin Praja Mandal on Representation to the Constituent Assembly on 30 September 1945

File No. G-20/1942-45, pp. 311-312, AICC Papers, NMML.

The Working Committee of the Praja Mandal has noted the reference to Indian States in the recent broadcasts made by the British Premier and the Viceroy of India regarding the future Constitutional development of India. The Viceroy has stated that 'discussions will also be undertaken with the representatives of Indian States with a view to ascertaining in what way they can best take their part in the constitution-making body.' This mention about the representatives of the British India, when viewed in the context of past statements and actions by the British authorities and statesmen, gives room for the apprehension that the intention of the Viceroy is to consult the nominees of the Indian Princes as opposed to the accredited representatives of the people of the Indian States. This Committee wishes to make it clear that the interests of the people and the rulers of the States are not identical and that the only democratic way of consulting the Indian

States is to consult the elected representatives of the people of the States. This Committee therefore, suggests that suitable machinery be at once devised by the authorities concerned for selecting the representatives of the people of the Indian States to sit with the elected representatives of British India for framing the future constitution of India.

This Committee requests the Working Committee of the All-India States' People's Conference to organize a country-wide agitation for this purpose.

This Committee also requests the Indian National Congress to take all necessary steps to see that the States are represented by the leaders of the people and not by the mere nominees of the rulers.

The Working Committee of the Praja Mandal views with grave concern the vindictive way in which the Government of India and the Allies are dealing with the members of the Indian National Army. This Committee lends its whole-hearted support to the stand taken by the All Indian Congress Committee in regard to the treatment of the Indian National Army and the requests the Government of India to revise their attitude by respecting the nation's voice in this matter as represented by the All India Congress Committee's resolution on the subject.

12. Statement by Jawaharlal Nehru on Rewa Reforms, 29 October 1945

File No. 103, pp. 75-78, Subject File, Part II, J.N. Papers, NMML.

During my tour in Rajputana I read a brief account of the announcement made by the Maharaja of Rewa granting full responsible government to his people. On my return to Allahabad I have read this statement in full. I am not fully acquainted with recent developments in and the domestic politics of Rewa, but even apart from these, the Danehra proclamations of the Maharaja of Rewa is significant and of far-reaching import. I welcome it as an instance of what should be done both in Rewa and in other States. It is now for the Political Department of the Government of India to announce its concurrence with the policy laid down in this announcement, that is, responsible government, and to take all necessary steps to implement it in the near future. All other questions in Rewa take second place before this primary issue and can be considered later. I should like to congratulate the Maharaja on the lead he has given and the people of Rewa on this achievement which should lead soon to their goal of responsible government in Rewa as an integral part of the India. I should also like to congratulate our Congress colleagues in Rewa who have laboured for so long for the cause of freedom and responsible government. But the people of Rewa must remember that there may still be many hitches and obstructions in their way and freedom is not easily attained and has to be vigilantly guarded. Also that freedom involves responsibility and obligations. I hope the people of Rewa will rise to the occasion and prove themselves worthy of the vast opportunities opening out before them.

Jawaharlal Nehru



13. Resolutions Adopted by the All India States People's Conference, Jaipur, 21–23 October 1945¹

The Standing Committee of AISPC after three days deliberation under Presidentship of Jawaharlal Nehru, adopted the resolutions. All India States Peoples' Conference Papers, File No. 191, NMML. Also see *Bombay Chronicle* 25 October 1945 and *Indian Annual Register*, 1945, Volume II, pp. 186–87.

In view of the proposals for changes in the constitution of India broadcasted by the British Prime Minister and the Viceroy and Crown Representative in India in September last, the Standing Committee wishes to declare afresh that such changes can only be acceptable if they are based on full responsible government in the States as integral parts of a free India. Further that any constitution-making body should have as its members from the States representatives of the people elected on a wide franchise, which should at least approximate to the franchise at present prevailing for the Legislative Assemblies in the Provinces. Such representatives will represent the people's wishes and will have the same status and representative character as the members from the Provinces. Any other method of representation in the Constituent Assembly will necessarily mean a lower status for the members from the States and a joining together of democratic representatives and autocratic nominees, which will be a travesty of democratic procedure and is likely to lead to deadlocks. It is essential therefore that the States' people should be represented on a fully democratic basis.

The Standing Committee has noted the statements made by, or on behalf of, some Ruling Princes to the effect that they are desirous of enlarging the liberties of their people and do not wish to come in the way of India's freedom. While appreciating these sentiments, the Committee would point out that vague statements are not helpful at present when final decisions are impending. The States People's Conference would willingly cooperate with the Rules and Governments of the States on the basis indicated above with a view to the establishment of responsible government in the States on a line with the democratic governments in the Provinces. In particular, any change in the policy of the States' Governments must begin with the full recognition of civil liberties without which it is impossible to have free elections or to make any substantial progress in the direction of freedom and representative institutions.

¹ The Standing Committee of All India States People's Conference after three days' deliberations dated 21, 22 and 23 October 1945 under Pandit Jawaharlal Nehru's Presidentship has formulated the demands of the Indian States' people in regard to the future status of the people of Indian States 'Vis-à-vis' British India.

The Committee has passed a comprehensive resolution declaring that constitutional changes in British India should be followed by full responsible Government in Indian states as integral parts of a free India. The Committee also demands that in the constitution-making body the people of the Indian States must be represented on the widest franchise possible.

14. Struggle in States is an Integral Part of the Independence Movement: South Indian States Peoples' Conference.¹

AICC Papers, File No. G-20/1942–45, NMML. Resolutions passed by the South Indian States Peoples' Conference at Trichur on 25 December 1945.

A Conference of the representatives from Mysore, Travancore, Cochin and Pudukotta was held on 22 and 23 December 1945 at the residence of and under the presidentship of Sjt E. Ikkanda Warriar, President Cochin State Praja Mandal. On the opening day the president welcoming the representatives and explaining the objects for which the conference was convened, gave a statement

of the growth of the Praja Mandal and the conditions in Cochin State. Mr Muthukrishna Iyer, Secretary of the Mahajana Sabha of Pudukotta, then spoke about the situation in his state. Sri Nijalingappa, President Mysore Congress then described the growth and activities of the Mysore Congress and the conditions obtaining in Mysore. Miss Anne Mascrene, Secretary of the Travancore State Congress, next addressed the conference on matters pertaining to her State. The meeting then adjourned to the 23rd.

The Conference resuming on the 23rd at 9 a.m. took up resolutions for consideration. After a full and free discussion, the following resolutions were unanimously passed.

1. Resolved that with respect to the membership in the respective organisations in the various states it would be advisable to follow as early as local conditions permit, the rule in the Mysore Congress constitution that only members of the Indian National Congress are eligible for admission to the Mysore Congress.

2. Resolved that in view of the organisational strength and popular support and the capacity demonstrated by the various Congress state organisations, this meeting is of the emphatic opinion that there is no need for the continuance of the Haripura resolution concerning the states and requests the Indian National Congress to rescind the same, and recognise that the struggle for responsible Government that is being carried on by the people in the states is essentially a part of the struggle for the Independence of India carried on by the Congress. This meeting further requests the All Indian States' People's Conference to press this view before the Indian National Congress.

3. Resolved that in the preliminary stage of consultations pertaining to the future constitution of India as also in the proposed constituent assembly itself the representation of the State should be only by the representatives of the people in the States elected on adult suffrage or if that is not practicable, on the widest existing franchise. Such representation should be on the territorial basis of each state or group of states, the system of voting being distributive and not cumulative.

4. This meeting demands that full and immediate responsible Government should be established in the States by the respective rulers.

5. This meeting views with concern the continuance of the repressive policy in the states such as internment and externment orders and curtailment of civil liberties, prosecutions for alleged political offences etc., and demands withdrawal of all such restrictive orders, and prosecution, and the release of all political prisoners.

6. Resolved that the constructive programme of the Indian National Congress be taken up earnestly in all the States.

7. The meeting emphatically protests against the ban imposed by the Travancore Government on the hoisting and display of the Indian National Flag in the State, and demands the immediate withdrawal of the ban. This meeting further resolved to lend such support as is necessary to the Travancore State Congress in their effort for the removal of this ban.

8. Resolved that a consultative standing committee of 15 members be constituted for the South Indian States, viz., Hyderabad, Mysore, Travancore, Cochin, Pudukotta and Deccan States with Hyderabad, Mysore and Travancore having 3 members each, Cochin 2, Pudukotta 1, and Deccan States 3. The 3 seats for the Deccan States shall be allocated by the Mysore Congress Working Committee in consultation with the states concerned. The members to the above committee shall be nominated by the working committees of the respective state organisations. The President of the Cochin State Praja Mandal is authorized to act as convener pending the formation of the above standing committee which is to hold its first meeting not later than the middle of a February in Mysore State.

After the president's concluding remarks the conference dispersed at 1 p.m.

The following were present:

Mysore

1. Sjt S. Nijalingappa
2. Sji H.K. Veeanna Gowdh
3. Sji H. Siddaiya
4. Sji M. Huche Gowdh

Travancore

1. Sji T.M. Varghese
2. Sji A.J. John
3. Sji Miss Anne Mascrene
4. Sjt Kumbalath Sanku Pillai
5. Sji G.P. Neelakanta Pillai
6. Sji C. Kesavan
7. Sji E. John Philipose

Pudukotta

1. Sji A.S. Muthukrishna Iyer
2. Sji J.M.A. Wahid

Cochin

1. E. Ikkanda Warriar
2. S. Neelakanta Iyer
3. K.P. Madhavan Nair
4. Mrs Pavizham Madhavan Nair
5. A.H. Jathaveda Shenol
6. E. Gopala Menon
7. K.A. Kunji Konmy Sahib
8. M.K. Menon
9. R.M. Manakkalth
10. U.S. Menon
11. C.R. Iyyunni
12. V. Raman Menon
13. T.S Bandhu
14. C.I. Ittimathew
15. K. Karunakaran and the Praja Mandal Members of the Cochin legislative Council

General Secretary

¹ Indian National Congress Session 1938 was held in Haripura (a village near Bardoli) under the presidentship of Subhas Chandra Bose. The resolution no. 2 emphasised self-reliance by the people of Indian States so far as internal struggle is concerned. The operative part is as follows: The Congress therefore directs that for the present Congress Committee in the States shall function under the direction and control of the Working Committee and shall not engage in any parliamentary activity or direct action in the name of or under the auspices of the Congress. Subject to this, the organization must be started and continued wherein the Congress committee already exists.



15. Government of Bikaner's Report on All India State People's Conference, Udaipur, 30 December 1944-2 January 1945:
Precis of the Proceedings

Home Department (Secret) File No. 1, Government of Bikaner, Rajasthan States Archives, Bikaner

At about 8.30 a.m. Jawaharlal Nehru arrived in the 'Azad Nagar' (an open place where a pandal was erected and an exhibition was arranged) where he performed the flag hoisting ceremony and delivered a brief speech on the significance of the national flag. The workers of the Bikaner State were also present in the large gathering.

At about 10 a.m. Sheikh Abdullah, President National conference, Kashmir while inaugurating the exhibition, arranged by the local Praja Mandal in the 'Azad Nagar', delivered a speech before a gathering of about 10 thousand persons, wherein he said 'I thank you for the honour given to me for inaugurating the exhibition. Out of the 40 crores of the population of India 10 crores inhabitants are the States and 1/3 of India is covered by the States. The Rulers of the Indian States are not independent but are in the clutches of the political department. They are free only to perpetrate atrocities on their subjects. The British Government have kept them for their own benefit and to perpetuate the slavery of India. So long the British Government are present in India the atrocities perpetrated by these Rulers would continue and thus the fate of the States people is bound with the freedom of India. We will have to offer sacrifices and renunciation for saving us from all these atrocities.

'Mewar is a historical State where Maharana Pratap was born. Maharana Pratap suffered every trouble for his freedom but did not bow down before the Mughal Empire. We have to attain our independence by facing all kinds of troubles like Maharana Pratap and by offering sacrifices. Our foremost object is the attainment of "Independence" and not of "Pakistan" or "Akhand Hindustan". We have to abolish the poverty of India and the differences of rich and poor as our religious saints did in the past. A farmer suffering from hunger and thirst cultivates the land, labours in sun and cold and grows the grains. His drops of blood in the form of tax, reach the Government treasury and are spend on dogs and Race horses in Europe and on luxuries in Bombay and France. Rajas and Maharajas, with the money of their subjects, have began to propagate against them (subjects). We, by our unconquerable will, will have to end this life of slavery even by facing death. If the 10 crores of the States' people stand with such a will the freedom will kiss their feet. Demanding bread to eat and clothes to put on is considered a crime in the States and if, some one shows courage he is jailed or extended from the State. The Congress or the British Government will not give us independence but we will have to attain it by our own efforts.'

After delivering the above speech Sheikh Abdullah inaugurated the exhibition. In some of the stalls in the Exhibition, charts containing various information such as Revenue, Income, Expenditure, Area and personal expenditures of States Rulers etc., were hanging. There were some copies of the important resolutions passed by the All India States Peoples' Conference, from time to time and copies of the views expressed about the Indian States by some of the prominent leaders of India, hanging in the Exhibition.

Open Session

The open session, attended by about 25 thousand persons, was held in the Pandal from about 2 p.m. to 4 p.m. under the presidentship of Pandit Jawaharlal Nehru.

The dais in the Pandal was about 10ft high, and a big map of India was hung behind it wherein states were shown in yellow colour.

The proceedings of session commenced with a song 'Sare Jahan Sey Achha Hai Hindustan Hamara' recited by two girls.

Manikya Lal Verma, President Mewar Rajya Praja Mandal and chairman of the Reception Committee of the Udaipur Session of the Conference, read out the enclosed presidential address in Hindi. This address contains a little reference about Bikaner State also.

Messages from the following prominent persons of India were read out in the session:

1. Maulana Abdul Kalam Azad
2. Sardar Vallabh Bhai Patel
3. S. Radhakrishna, Vice-Chancellor, Benares Hindu University
4. Pandit Govind Ballabh Pant
5. Maharaja of Rewa
6. Sarat Chandra Bose

Maharaja of Rewa in his message wrote 'My heartiest sympathies are with the States' People.'

Pandit Jawaharlal Nehru, President All India States Peoples' Conference, delivered his presidential speech in Hindi.

After the termination of the open session a Kisan Sammellan attended by about 25 thousand persons was held from about 4.30 p.m. to 6 p.m. in the same Pandal under the Presidentship of Hiralal Shastri of Jaipur.

Pandit Jawaharlal Nehru delivered a speech in Hindi wherein he said 'The majority of the population of India lives in the villages and the majority of the villagers are *kisans* who have fought for their rights at many places. Bijolia movement of Kisans is a well known movement of Mewar. The Kisans of British India as well as of Indian States are suffering. Our fundamental object is to awaken the Kisans, whose awakening means the awakenings of India. The object of our Independence is the betterment of the condition of the Kisans and the removal of their troubles and to bring their rights to them. Indian States are under the British rule. Removal of British rule from India and establishment of people's Government is the sole object of our Independence movement, which would be beneficial for the whole public. Mazdoors and Kisans, who labour hard, are disregarded but idly sit on *Sofas* are respected in our country. We will have to restart our industries which were closed as the British rule came in India. According to Mahatma Gandhi we can progress only by restarting our cottage industries. There would be "Panchayati Raj" in our free India. Now-a-days heavy burdens are being placed over the Kisans. The salaries of the high paid officials in our country are being exacted from the poor Kisans' pockets. In the free India there should be equal rights for all the people of the country and every work should be done by the consent of all and the lands should be the property of the Kisans. With these objects, in view we have to progress rapidly on our way of independence and thus increase our strength. We can only settle our problems by our own efforts.'

Manik Lal Verma, President Mewar Rajya Praja Mandal, during the course of his speech said that the conditions of the Kisans are similar in every place in India and the atrocities are being perpetrated on them everywhere and their difficulties can be removed only by their own efforts.

Hiralal Shastri of Jaipur, President, during the course of his speech said that the Kisans are the riches of the country and their foremost object is to remove British Rule from India and to establish 'Panchayati Raj' in Mewar Jodhpur, Jaipur and in other places.

In the Sammellan, Raghvar Dayal, Hanuman Jat and Swami Karmanand were sitting on the dais, while the rest were sitting in the audience.

1st January 1946

Meeting of the Subjects Committee

The meeting of the Subject Committee, attended by the members of the Standing Committee and the General Council, was held in the Scout Ashram, Udaipur, from about 9 p.m. to 12 midday under the presidentship of Pandit Jawaharlal Nehru.

Raghuvar Dayal Vakil and Swami Karmanand were sitting on the dais with the members of the General Council.

Pandit Jawaharlal Nehru announced that it was the meeting of the Subjects Committee and the Revised Constitution (copy enclosed) drafted by a Sub-Committee, appointed by the Standing Committee of the All India States People's Committee, will be read out by Balwant Rai Mehta, for approval by the General Council.

Balwant Rai Mehta read out the Revised Constitution which was approved by the General Council, with slight amendments.

The Subject Committee also decided in this meeting by votes that the Central Council would elect the President of the All India States Peoples' Conference instead of the delegates.

The following draft resolutions were read out by the President for approval and were approved by the General Council with slight amendments:

Mazdoor Sammellan

A Mazdoor Sammellan attended by about 10 thousand souls was held in the Pandal at about 10.30 a.m. with Sheikh Mohammad Abdullah, President National Conference, Kashmir, in the chair.

Sheikh Abdullah during the course of his presidential speech dealt with the various difficulties of Mazdoors and Kisans and exhorted them to join the Indian National Congress and fight for freedom.

Rajputana Students Conference

The meeting of the Rajputana Students Conference was held in the same Pandal from 1 to 2 p.m. with Sheikh Abdullah in the Chair.

Sheikh Abdullah in his speech gave details of the origin of Pakistan Scheme in India remarking that the British Government brought the Pakistan from the time Sir Thomas Roe came in India. He further asked them to unite and be prepared to shoulder the responsibilities in the near future.

Pandit Jawaharlal Nehru during the course of his speech asked the students to remain prepared for shouldering the responsibilities in the near future and to gain practical knowledge in addition to their studies.

Open Session

The proceedings of the open session began at about 3 p.m. in the Pandal under the presidentship of Pandit Jawaharlal Nehru.

Jai Narain Vyas of Jodhpur, General Secretary, All India States Peoples' Conference moved the following resolution and delivered the following speech in support of it:

Resolution

This conference sends its greetings to all the people in the various States of India and congratulates them on the remarkable awakening in regard to political and constructive work in recent years, in particular this conference expresses its appreciation of the notable part played by the people of the States in the National Struggle of 1942 onwards.

The conference trusts that full advantage will be taken of this awakening by building up the organisation of the AISPC and by directing the new consciousness among the masses to

constructive work for building up of national life and teaching self-reliance to the people. By such work carried on in a spirit of service and sacrifice, the peoples' strength will be built up for the early realizations of the States' Peoples' demand for freedom and Responsible Government.

During the course of his speech he said 'Many people of the various states have come here, out of them some want to be delegates of their respective States, but they should know it well that one delegate is taken from the population of one lac according to the constitution. There is awakening in every State. The awakening of the people of the States can easily be guessed by the enthusiasm shown by the people of Kashmir, Jaipur and Jodhpur during Panditji's recent visits at those places. The persons who arouse political feelings among the masses are suppressed in the States. Despite the death of Sir Dev Sumon in Tehri Jail, shooting on the students in Mysore and the death of Balmukand Bissa in Jodhpur Jail; the national tri-coloured flags are still furling in the States.

'After the 1942 movement our strength has increased and due to this strength the Rulers feel proud in interviewing Pandit Jawaharlal Nehru. We should awaken the States' peoples.'

S. Budh Singh of Kashmir seconded the resolution and it was passed.

Shri Siddhlingappa of Mysore moved the following resolution and while delivering a speech in support of it said that though Mysore is a progressive State there are no civil liberties:

Resolution

This Conference confirms and reiterates the resolutions passed by the Standing Committee at Jaipur in October last in regard to the proposals for changes in the Constitution of India.

In view of the proposals for changes in the constitution of India broadcasted by the British Prime Minister and the Viceroy and Crown representative in India in September last, the Standing Committee wishes to declare afresh that such changes can only be acceptable if they are based on full responsible government in the States as integral parts of free India. Further that any constitution-making body should have as its members from the States representatives of the people elected on a wide franchise, which should at least approximate to the franchise at present prevailing for the Legislature Assemblies in the Provinces. Such representatives will represent the peoples' wishes and will have the same status and representative character representation in the Constituent Assembly will necessarily mean a lower status for the members from the States and a joining together of democratic representatives and autocratic nominees, which will be a travesty of democratic procedure and is likely to lead to deadlocks. It is essential, therefore that the States' people should be represented on a fully democratic basis.

The Standing Committee has noted the statements made by, or on behalf of, some Ruling Princes to the effect that they are desirous of enlarging the liberties of their people and do not wish to come in the way of India's freedom. While appreciating these sentiments, the Committee would point out that vague statements are not helpful at present when final decisions are impending. The States People's Conference would willingly cooperate with the Rulers and Governments of the States on the basis indicated above with a view to the establishment of responsible Government in the States on a line with the democratic governments in the Provinces. In particular, any change in the policy of the States' Governments must begin with the full recognition of Civil liberties without which it is impossible to have free elections or to make any substantial progress in the direction of freedom and representative institutions.

Mr Philipoj of Travancore, Dwarka Nath Kachru of Kashmir and Mohammad Khalik of Kalat supported the resolution.

Dr Lalsingh Gill of Faridkot proposed an amendment of the term 'adult franchise' in the resolution which was supported by Shakir Ali of Bhopal and Mathura Dass Mathur of Jodhpur. In voting, the amendment was lost and the original resolution was adopted.

Clarifying the resolution Panditji remarked that in the present state of affairs the demand of adult franchise is not a practical politics because this is even impossible in the British India in the present times.

Sheikh Abdullah of Kashmir, moved the following resolution and delivered a speech in its support:

Resolution

This conference appreciates and welcomes the policy and programme for the future laid down in the Election Manifesto of the National Congress in regard to the proposed Federation of India and the rights of constituent units as well as individuals. Such a Federation must be a willing union with autonomy for each unit.

There should be a minimum list of common subjects applying to all the constituent units, and a further optional list of common subjects which may be accepted by such units as desired to do so. The Federation as well as its constituent units shall have a democratic form of Government and an economic structure which promotes equality and gives security and full opportunities to every individual to progress according to his capacity.

Gopi Kishan Vijey Vargiya of Gwalior, Sidhraj Dhadha of Jaipur and Swami Ramanand of Hyderabad (Deccan) supported the resolution.

Hukamraj Mehta of Jodhpur, proposed an amendment of 'must be a willing union with unrestricted right of secession' which was seconded by Shakir Ali of Bhopal, but the amendment was not accepted and the original resolution passed.

Panditji supporting the resolution clarified the self determination resolution of the Indian National Congress recently passed at Calcutta and remarked that if a certain unit in the federal India demands separation, it will not be compelled to remain in the federation, but the unconditional right of separation can not be given. The right of self-determination does not exist, as it is said, even in Russia.

2nd January 1945

Open Session

The proceedings of the open session began at about 1 p.m. in the pandal under the Presidentship of Pandit Jawaharlal Nehru.

Raghuvar Dayal Vakil sitting on the dais among the members of the General Committee.

Ganga Dass Sewag, Madho Singh Aheer, Rawat Mal Pareek, Dau Dayal Acharya, Kumbha Ram, S.I. Hanuman Jat, Swami Karmanand, Ramlal Jat, Khiyali Ram Vakil, Naurangiya Jat, Chrinjilal Sunar, Lalchand Jat, Ramjilal Jat, Udmiram, Lichhmanram, Mauji and Jaisa Jats were sitting in the delegates section while the other persons of Bikaner State were sitting in the visitor section.

The following resolutions were moved by the chair and passed:

Resolution

This conference expresses its deep sorrow at the death of Seth Jamna Lal Bajaj, Shreemati Kasturba Gandhi, Shri R.S. Pandit, Shri Satya Murthi and some of our active state workers—S.M. Agarkat, Behari Lal Vyas (Ratlam), Gafoor Khan (Ratlam) Halmukand Bissa (Jodhpur), Shankarappa (Mysore) and Altar Yazdani (Bhopal).

Resolution

This Conference pays its homage to those martyrs who have lost their lives in the struggle for freedom in the States in the course of the last 3 ½ years.

One of these brave souls was Shree Shreedev Suman who was done to death in the jail of Tehri Garhwal State by the deliberate ill-treatment he was subjected to. He set an example of courage and sacrifice for the cause which will be long remembered and will inspire the people of the States.

Hiralal Shastri of Jaipur moved the following resolution and delivered a speech in support of it:

Resolution

This Conference is of opinion that only States as have a sufficient population and revenue to be able to maintain model standards of social and economic welfare should continue as units which can join as such in the proposed Federation of India. The primary consideration must be the peoples' welfare and progress. The Ludhiana resolution laid down that only those states which have a population of 20 lacs of people or over or a revenue exceeding rupees 50 lacs should be examined from this point of view so that the States forming autonomous units in the Federation fulfil these fundamental consideration.

Smaller states which are unable to come up to these standards should generally be absorbed in the neighbouring provinces. Where this is considered feasible and necessary for cultural and other reasons a measure of autonomy may be granted to them within the province. In States so absorbed in or attached to provinces, suitable provisions should be made for the present rulers and their personal dignity and position safeguarded.

Achleshwar Parshad, Editor *Praja Sewak*, Jodhpur proposed an amendment that the words 'and their personal dignity and position safeguarded' be omitted from the resolution.

Jugal Kishore Chaturvedi of Bharatpur, Shrimati Nersi Venus of Travancore, Sheikh Abdullah of Kashmir supported the resolution while Ganeshi Lal Vyas of Jodhpur, Kishanlal Mehta of Jodhpur supported the amendment in the resolution.

In the votes the amendment was lost and the original resolution passed.

The following resolution were moved by the chair and passed:

Resolution

This conference sends its greetings to the peoples of Indonesia and Indo-China, who are struggling for their Independence against Dutch and French Imperialism as well as against British Imperialism which is intervening on behalf of other European powers. The Conference is of opinion that the Republic of Indonesia should be recognised and given full opportunity for self-development and progress. The Conference, especially resents the use of Indian troops against the peoples of these two countries and calls for their withdrawal immediately. The Conference has learned with horror of the frightfulness committed by British and other forces in suppressing and terrorizing the peoples of Indonesia and Indo-China.

Resolution

(a) The Conference expresses its appreciation of the application of democracy based on elected village Panchayats grouped together for larger purposes in Aundh State. This experiment, as well as the simplification and democratization of judicial procedure, have many lessons for other States.

(b) While it is necessary in a modern State to have Centralised machinery as well as large scale planning for many purposes, it is nevertheless desirable to have, and to encourage, decentralization as far as possible both in the political and economic organisations. This may be done more particularly, by treating the village as a self governing unit and by organising industrial and other forms of cooperatives. In this way true democracy is more likely to develop and the people will learn self-reliance and the habit of cooperating together. Thus a cooperative commonwealth can be built up for the whole country.

Resolution

This Conference appreciates and welcomes the action of the Maharaja of Rewa in declaring at the last Deshera Darbar his desire to establish full responsible Government in Rewa State immediately. In view of this declaration, the Political Department of India, which is at present in control of the State Government, should take early steps to implement it. The people of the States should concentrate on this major issue and not direct their energies on other and minor issues.

Resolution

In view of the fact that a larger number of people in the Indian States joined the Azad Hind Fauj, this Conference is specially interested to the future of these men and women who have set an

example not only of courage and sacrifice for India's freedom but also of forging unity among different groups and communities. The Conference trusts that both States' Governments and the States' people will help in every way in rehabilitating these trained and disciplined people and in utilizing them for work of national advantage.

Bansidhar Sharma of Jaipur, moved the following resolution, which was supported by Bherilal of Dungarpur, Laxmi Narain Misra of Jaipur and Segarmal of Sirohi and an amendment proposed by Shakir Ali of Bhopal in the resolution was not accepted.

Resolution

In view of the fact that in Rajputana and Central India especially, as well as in other States there are considerable numbers of suppressed and backward peoples like the Bhils, Meenas, Santhals, Gonds, Cols, Ravats, Sansis, Beoris, Kanjars, Yarkalas, Barelals, Bhilalas, and the Nayandis of Cochin and Malabar and other similar tribes who have been treated both by the States' administration and by the people higher up in the social scale, in a way to prevent them from making any progress, it is the duty of the State Governments as well as of the people generally to remove all barriers to their progress and help them in every way to become helpful and progressive members of the community. For this purpose special departments should be created and their education and also economic and social development specially attended to.

The practice of calling some of those people as well as others, criminal tribes and restricting their movements and activities is highly objectionable and must end.

The following resolution was moved by the chair and passed:

Resolution

This Conference welcomes the progressive coordinations of the struggle of the States' People for freedom with the wider struggle for Independence culminating in the growing solidarity of the people of the whole country for the cause of freedom and independence. In view of the critical turns ahead, the Conference considers it desirable that the Standing Committee, or sub-Committee thereof should confer with the leaders of the National Congress with a view to promoting this coordination and putting up a joint front as between the States' people and those of the rest of India.

Balwant Rai Mehta of Bhavnagar, read the New Constitution of the AISPC, which was approved with slight amendments. Panditji congratulated the delegates etc., on its approval by them.

Gokhlay of Gwalior moved the following resolution and delivered a speech in support of it:

Resolution

This Conference expresses its grave concern over the social and economic backwardness of some of the States and Jagiri areas especially on the sale of men and women such as Daroga community by the Jagirdars and exacting *Begar* (forced labour) and *lag-bag* from the lower classes. These conditions are characteristic more particularly of the States of Rajputana, Central India, Orissa and the smaller States. The conference condemns these conditions prevailing in the States and invites the attention of the respective Governments to end these systems and abolish the present Jagiri system.

In his speech he said 'The Jagiri system in the Indian States is an evil. Agitations were started in the Jagiri Areas of Jodhpur and similar news came from Jaipur. Burning of houses in Jagiri Areas is an ordinary thing. Jagirdars are given higher posts in the States and thus they oppress the kisans. Darogas and Gilies are employed by the Jagirdars like slaves and their daughters are being given by the Jagirdars in their dowries. This condition is characteristic in Rajputana. Darogas are even extradited from other places in Kotah and Bundi. In these conditions the progress of Kisans is impossible in the Jagiri Areas. Atrocities are also being perpetrated in the Jagiri Areas of Mewar and the Bijolia movement was an instance of these atrocities. Jagiri system should be abolished and responsible governments be established in the States.'

Resolution

This conference regrets to note that inspite of the great changes that have taken place in recent years in the world and the imminence of vital change in India, a large number of Indian States are still very backward politically and economically. When democracy is accepted as an ideal world over and civil liberty is recognised as a right of every individual, there is autocracy, authoritarian rule, a denial of civil liberties and a suppression of popular organisations. As a result these States are playing a backward role in Indian politics and economy and have become bar to freedom and progress.

While the small States have very limited resources for progressive administration, some of the bigger States are capable to properly organise on a democratic basis, to make rapid progress. It is therefore, peculiarly regrettable that these big States have not lead the leading role that they should have done and have often been in conflict with their people. Even States, which are relatively more advanced, industrially and educationally, like Mysore and Travancore are politically reactionary. The premier State of India, Hyderabad, which has considerable resources and from which a lead might have been expected has played and is at present playing, a peculiarly reactionary role. It has not allowed the States Congress to function, denies civil liberties, and has developed a metaphysical theory supporting aristocracy, which is unique in the modern world.

It is clear that the people of these states cannot accept these practices or promises and must stand out for a democratic form of full responsible Government.

In the course of his speech he criticised the backwardness of various states and the conditions prevailing there, especially Travancore, Mysore and Hyderabad. He further said that the British have built another wall of States in addition to the Hindu-Muslim Unity in the way of Indian Independence.

Shree Virgya of Travancore seconded the resolution and it was passed.

Raghuvar Dayal Vakil while supporting the above resolution said: 'I am a resident of a State which is called Bikaner. Bikaner State is situated in a corner of Rajputana. You will be surprised to listen the stories and the condition of that place where even in the 40th year of the 20th century such atrocities are being perpetrated. No newspaper is published in whole of the State. If some one desires to get a pamphlet printed, it could not be got printed without the written permission of the Inspector General of Police.'

Note: 'Shame' 'Shame' were shouted from the delegates side, the majority of the shouters were workers from Bikaner State.

'You would be astonished to hear that when Maharaj Ganga Singhji proceeded on the active service, he said on the 23 October 1941 "I am proceeding to such a place from where there is least hope of return". He proclaimed a Magnacarta wherein its 31st clause he expressed his desire that "there should be freedom of speech and of convening meeting in my State".'

'But you would be aggrieved to know that on 13 April 1943 (1942) when Jalianwalal Day was going to be celebrated; the manager of the Khadi Bhandar was called and was compelled to apply for the permission. The Manager submitted the petition. At about 8 p.m. when the meeting was going to commence—about 200 persons gathered—at that time Dy Inspector General of Police and an Inspector came there and said that the meeting cannot be convened.

'On 25 May 1945 a meeting was called in connection with the Kasturba Fund. A letter was sent to the Prime Minister in order to inform him and he was enquired whether there was any objection. He was informed, though it was not essential. You would be surprised to know that on 23 May, it was informed that the permission would be granted, provided their four conditions are complied. First condition was that there would be no national flag, secondly no national song or slogan would be recited or shouted. Thirdly no remark would be passed against the State Government, British Government and neighbouring States, the fourth condition was that the

information regarding the president of the meeting would be supplied 24 hours before. The main point is that this meeting was in connection with the Kasturba Fund.'

Note: 'Shame' 'Shame' were shouted from the same section of delegates majority of whom were from Bikaner State.

'We refused to comply the last condition. On 24 May the Home Minister enquired about the president. We informed him that the president would be elected in the meeting. On 25 May leaflets relating to the meeting were distributed. Nazim Sahib said to a friend of mine to enquire from Raghuvar Dayal that who would be the president. When the meeting was being held, the Inspector General of Police with 50 constables armed with Lathis was sitting in the nearby telegraph office. In our meeting one District Magistrate, one Superintendent of Police, Inspector CID and many other Inspectors and Sub-Inspectors CID were sitting. This is the freedom of that place.'

The Praja Parishad was established there on 22 July 1942. At that time His Highness was under treatment in Madras. He telegraphically ordered to extern the president of the Praja Parishad, and the president was externed.

Note: 'Shame' 'Shame' were shouted mainly by the Bikaneris from the same section.

'The others workers of the Praja Parishad were either interned or detained.

'I from this platform of the All India States' People's Conference challenge that they should tell that what civil liberties exist in Bikaner which the Officers of Bikaner term as "freedom".'

Note: Due to the shortage of time Raghuvar Dayal was speaking hurriedly.

Sheikh Fazal Sahib of Kalat, Shanker Ram of Nabha etc., supported the resolution and it was passed.

Due to the shortage of time the following resolution was moved by the chair and passed:

Resolution

(a) This conference condemns the deplorable conditions of political prisoners and detenus in jails in the States in Punjab, Rajputana, Central India and Orissa especially the inhuman treatment i.e. employment of fetters and handcuffs, solitary confinement and restrictions on the interviews etc., with the relatives; meted out to them in the jails and further asks the officers, Rajas and Nawabs of all the States to remove such restrictions forthwith.

(b) This Conference expresses its concern over the persons who have been externed from the States and whose entry is prohibited in the States while the charges made against them are the same which are made on the political workers. This Conference demands that such orders and prohibitions over such persons be removed and civil liberty be granted to them.

Winding up the meeting Pandit Jawaharlal Nehru said:

'All India States Peoples Conference is going to terminate. It is the representative of all the States of India. Delegates from all over India have come to attend this conference. According to the Regions there are 40 delegates from Kashmir, and 131 delegates from Rajputana and total number of delegates is 425. There are 30 delegates from Jaipur, 13 from Bikaner, 22 from Jodhpur, 32 from Gwalior, 40 from Kashmir, 20 from Patiala and so on. The decisions of this conference are the decisions of all the States' People of India. We have framed a new constitution and we desire to start one or two more offices of this conference which will have connection with the Regions and Prajamandals. According to the constitution the members of the Standing Committee and its office bearers would be nominated. The following are the office bearers of the Standing Committee for the ensuing year:

Pandit Jawaharlal Nehru	-	President
Sheikh Abdullah of Kashmir	-	Vice-President
Jainarain Vyas of Jodhpur	-	
Balwant Rai Mehta of Bhavnagar	-	Secretaries

G.M. Vargiya of Travancore	-	
Dwarka Nath of Kashmir	-	
Kamal Nayan Bajaj	-	Treasurer

‘Primary responsibility will be of Jai Narain Vyas. I want to keep the office of the conference in Allahabad with Dwarka Nath Kachru as its incharge under my supervision.’

‘Mysore, Travancore and Hyderabad are though progressive States of India but still they are politically backward. You have heard about Kalat State. A resolution regarding Kalat was also passed at Ludhiana Session. I have received complaints from Bhopal as well as from other States. You have heard complaints from Bikaner also. Since four or five months or say since I have been released from the Jail, probably I have received complaints from Bikaner in large number. When the meeting of the Standing Committee was being held in Kashmir, this question was brought before us. At that time, we thought it desirable that before taking any step into the matter we should address the Prime Minister Bikaner as we should not hear one side. I addressed the officers of Bikaner and also received replies thereto. From that correspondence I am convinced that officers of Bikaner are on a wrong way and thus committing a mistake. (Clapping from the delegates section mainly by Bikaneries). They are making futile attempts to avoid these things in the States.’

Further he spoke about the condition of Tonk States and invited the attention of the delegates to a resolution passed by the Standing Committee wherein the delegates were asked to maintain discipline and not to speak ill publicly about a person or a body and if there are any complaints there should be constitutionally put up before a Committee.

He further thanked the Reception Committee for the arrangements and the audience for their participating in the conference.

Mohanlal Sukhadia, Reception Secretary of the Udaipur Session of the All India States Peoples Conference, thanked Panditji for his presiding over the 7th Session of the Conference and the other delegates and the visitors who participated and attended the Conference.

The following purses were presented to Panditji:

1. Students of Maharana College	-	Rs 1001 for INA
2. People of Kankroli	-	Rs 501 for INA
3. Labourers of Bhilwara	-	Rs 135 for INA
4. Keshoraj of Udaipur	-	Rs 101 for INA
5. People of Dungarpur	-	Rs 251 for Kamla Nehru
6. Raghunath Singh of Udaipur	-	Hospital

The proceedings of the Session terminated at about 7 p.m.

Mahila Sammellan

A Mahila Sammellan was held in the premises of Mahila Mandal, Udaipur, from 2 to 4 p.m. with Mrs Sucheta Kripalani in the Chair.

Mrs Sucheta Kripalani and Pandit Jawaharlal Nehru and other women speakers during the course of their speeches advised the women audience to educate themselves as well as their children and abolish the *Purdha* system and take part in the freedom movement of the country.



SECTION B: WORKERS AND PEASANTS

16. Trade-Union Congress: Demand for Leaders' Release

Hindu, 21 January 1945.

Presiding over the 21st annual session of the All-India Trade Union Congress held last evening, Mr Fazal Elahi Qurban stressed the necessity for the establishment of a national government and the release of national leaders. He said that post-war planning should take into consideration the conditions of the working classes and the plans must be such that the workers' standard of living would be raised to the level existing in other countries. He also appealed to the workers in India to strengthen the Trade Union Congress.

The Congress was held in the M.& R.Ry. Institute grounds, Perambur, and was attended by a huge gathering. More than a thousand delegates from other provinces of India attended the session. There was also a large number of ladies. Prominent among those present, besides the leaders of the Trade Union Movement, were Mr M. Radhakrishna Pillai, Mayor of Madras, Mr K. Venkataswami Naidu, Mrs Subbaroyan Mr C.N. Muthuranga, Mudaliar, Mr M. Bakthavatsalam, and Mr T.R. Kodandarama Mudaliar.

Mr Chakkarai Chettiar's Welcome

Mr V. Chakkarai Chettiar, Chairman of the Reception Committee, welcoming the delegates, said he was sure of the certain fulfillment of Labour's mission of a redeemed and renovated world. They had a considerable expansion of the activities of the Trade Unions. Internal leadership in the unions had also grown up. To those in Madras, it was not a new gospel.

Stressing the need for unity and solidarity in their movement, Mr Chakkarai Chettiar said that many sinister forces were at work to divide and delude their comrades and to their disappointment it must be confessed they had won some ground. But the real leaders must not succumb to that temptation. The period of patronage and protection was over and labour had attained age and its future destiny was in their own hands. Labour must become an integral part of the future government of the country. It was true that all political parties had helped the movement and the aims of the AITUC had not antagonized any political party as all of them had been confined to the orthodox trade union programme.

But now there was a need for a separate individuality and there was also the need for political parties to keep pace with the wider outlook of modern working class movement. The attitude of labour to the political parties must be defined. Their movement was in full accord and sympathy with the cause of Indian freedom. After the war, India must and would have her own government, provided her sons and daughters had enough commonsense and true patriotism. Labour could not be dominated by any one type of political thought in India or desire to be a follower of any one organisation. The AITUC was the largest organisation of working men and it had the general approval of all parties and communities. Sectional views' should not be allowed to prevail therein.

Continuing, Mr Chakkarai Chettiar said that it must be made clear to the industrial capitalistic class in the country that the old *laissez faire* policy was dead and must be given up after the war. It was devoutly believed by some of the best minds of India with Mahatma Gandhi at the head that history should take a different course in India. If the industrial capitalists and managers pursued a hard and unbending course refusing recognitions to unions, and denying redress of even petty grievances, history would repeat itself and India would have to tread a long and weary path. Not only would this economic unrest be incessant and painful but it would under the national movement of freedom.

Post-war plans for labour, said the speaker, must remove the root causes of the present troubles. He could see no bright prospect opening before them unless labour itself could gather the needed force of mind and organisation for effecting a real change. Otherwise their incessant struggle against daily tyrannies would not stop. Let them grid up their loins and plan and organise and march towards the goal of true liberty, equality and fraternity.

Presidential Address

Mr Fazal Elahi Qurban, speaking in Urdu, thanked the delegates for electing him as President of the present session, and said that the seeds of the Labour movement were laid in Madras. The Congress had now a membership of over five lakhs and representatives of every industrial undertaking were among its members. He was glad to learn that delegates from places as far as Ceylon and Baluchistan had come to the session.

Since they last met at Nagpur, the President stated, the Congress had grown in strength. The main question of the minimum wages, had not, however, been settled. Even according to statistics supplied by the Government of India, the average wage for a worker was less than Rs. 25 whereas the cost of living had risen to twice and thrice than that before the war. The dearness allowances given were not in proportion to the rise in prices. If there had been a responsible government and a government in which the people had confidence, they would not be suffering so much.

The Chairman appealed to the workers to strengthen the Congress in order to force the Government to redress their grievances. He said that at this juncture there was need for a truly national government in the Centre. Their leaders were in jail and they must be released immediately and power must be transferred to the hands of the people. There was also need for unity among the different communities in the country. Congress-League unity was essential and it was their duty to see that it was brought about.

Regarding the plans for the future, the President said that all planning must take into consideration the working classes in the country. Unless the workers were satisfied and there was a general rise in the standard of living, the country would not progress. He was afraid that until there was a national government, there could not be any real planning intended to benefit the working classes. A national government, though not socialistic in their outlook, would see that the poor working classes were bettered in all respects.

The President next referred to the progress made in Soviet Russia and he sought permission of the Congress to send a message of greetings to the victorious Red Army.

Need for Increased Basic Wages

Mr N.M. Joshi, General Secretary, presented the annual report. He said the membership in the Congress had increased considerably. There were now 413 unions affiliated to the Congress, with a membership of over 500,000. During the period under review, the cost of living had increased considerably and the dearness allowances granted to workers had been found to be very inadequate. The basic wages must be increased in proportion to the increase in the cost of living owing to shortage of coal, a large number of industries undertakings had permanently closed down and the number of unemployment had increased. These were also to be watchful about the future. Unless they made the Trade Union Congress strong, there was no hope for them in the future.

Moved by Mr M.K. Bose and seconded by Mr P.R.K. Sharma, the report was adopted.

Mr V.R. Kalappa next moved some amendments to the constitution and discussion on them was adjourned for to-day.

This evening Mrs Sarojini Naidu will address the rally of workers.

17. 6,000 Untouchable Farm Workers' Hold Conference Despite Ban, Travancore State

People's War, 22 April 1945.

An entire crowd of 6,000 agricultural workers moving away with perfect discipline at the last moment from the Pandal which the workers themselves had erected for their Conference, because the District authorities banned the Conference; and trudging 3 miles in the scorching sun through mud and water, women carrying their children, to reach another place whether the Conference was to be held the same day in the afternoon; this incident illustrates the new spirit that has come over the agricultural orders of Kuttanad, Travancore.

Following this ban order on their Conference by the District Magistrate of Kotayam, the Travancore Government has issued a Communique generally prohibiting all meetings of the Kuttanad Agricultural Workers' Union (Karshaka Thozhilall Sanghams) till the harvest season is over.

Kuttanad is the area covered by the major portion of the backwaters in Travancore State and one of the two largest paddy-growing centres in the State. Being a water-logged area, the cultivation is carried on, by pumping out the water with the help of engines.

Their Unions

It is the agricultural workers, organised in their Karshaka Thozhilall Sanghams, who convert the water-logged area of Kuttanad into the granary of Travancore.

They cultivate vast areas of kaval (backwaters) or Punja (wet land) under the Jenmies (landlords). Today there are 37 such unions in Kuttanad with a membership of 6,000; every one of them has been built upon within the last year.

These agricultural workers are mainly Pulayas and Parayas, the depressed classes in Travancore. They were some years back the slaves owned by other communities and even today though they are not actually owned they are attached to the lands owned by the large cultivators and dependent upon their mercy for the whole year round. The majority of these Pulayas and Parayas have been converted to Christianity but they are still treated as untouchables and nothing has been done to improve their lot socially or economically. They are needed in a hundred ways by the Jenmies and by the upper peasants and are mulcted even of their regular wages by all kinds of illegal exaction.

One of the first steps which had to be taken to meet the acute food crisis in Travancore State was to organise the agricultural workers of Kuttanad, improve their conditions and make them conscious since Kuttanad produces a major portion of the paddy in Travancore. It was the Communist Party in Travancore which took this up seriously and workers were sent from Alleppy (biggest working class centre of the State) to organise them. Last year, during the harvest season the workers conducted big struggles to win their demands with tremendous success and the result was a wave of enthusiasm spread among them. They rallied in large numbers behind the existing organisations sprang into existence.

Many are the instances of the workers themselves detecting hoarding and black-marketing in spite of stout opposition from the Jenmies aided by the police. There are cases of workers having been arrested by the police for having caught boarders.

The upper peasants who are mostly Catholic Christians put up an organised fight against this growing movement of the workers by branding it Communist and banning it through the Churches. Priests took in very active part in admonishing the members of their parish against helping the workers and condemning and cursing the movement. But the workers rallied to their Unions in

ever larger numbers for through them they had secured better conditions of life for the first time in their lives.

Government Ban

The Second Annual Conference of the Kuttanad Agricultural Workers was planned to be held in the first week of March. Elaborate arrangements were made, a grand pandal to accommodate some 15,000 people was constructed by the workers themselves. The Conference was to be held in Mampuzakari in the Kottayam District. Propaganda meetings were held under the auspices of all the Unions and a wave of enthusiasm spread among the workers all over Kuttanad.

Panic-stricken at this growing movement the upper peasants and Jenmies sent false reports to Government authorities that the harvesting season was nearing and if the Conference were allowed to be held, the harvest would be spoiled. In spite of the fact that the Unions had made their policy clear that they stood for rousing the workers to grow maximum food, the police also supported the false reports of the representatives of the Jenmies and got the Conference banned by the District Magistrate of Kottayam a day before the date fixed for it.

The ban did not, however, stop the enthusiastic workers from going to Mampuzakari. They had made all arrangements such as purchasing new clothes, stitching new shirts, etc. to attend the Conference. To them, it was their greatest festival. They came in families from distances of 10 to 15 miles away, in big boats, prepared to stay 2 or 3 days. In spite of the ban and the terrible scare stories spread by the police and interested parties, nearly six to seven thousand people (nearly half of them women) gathered near the Conference pandal which was occupied by the police, early morning of the day of the Conference.

Com. Varghese Vylian, the President of the Kuttanad Karshaka Thozhilal Sangham and Com. P.T. Punnose, the Secretary of the Travancore Communist Party, made an attempt at the last moment to meet the District Magistrate of Kottayam, but that gentleman was not in town. The police would not even allow them to enter the Pandal for instructing the audience to move elsewhere; but despite this they entered the Pandal and gave instructions to the crowd to move to Pandanllam, a place three miles away from Mampuzakari but in Quilon District.

The entire crowd moved in thousands, under the scorching sun, and within an hour and a half gathered at Padanllam—a raised open space with green paddy fields stretching miles all round.

Meeting at Padanllam

The whole day was terribly hot but from two till six in the afternoon nearly 6,000 people including women and children sat silently under the scorching sun and attended the proceedings of the meeting. Varghese Vylian, the President of the Union, who presided over the meeting gave a call to the workers not to get provoked by the bureaucrats or discouraged by the opposition and through it win their own legitimate demands and serve their people by saving every grain of paddy. Several workers themselves came forward and spokesmen who had remained outcasts of society till recently and whom the Karshaka Thozhilal Sangham had, for the first time, awakened to pride in life.

The workers left the meeting with the solemn oath that they would raise the membership of their organisation to 60,000 next year from 6,000 now. They started membership campaign on the spot, in the meeting itself.

Backed up by the State Police, the Jenmies and the upper peasants of Kuttanad are carrying on a raging campaign against the workers—under the hypocritical plea that ‘the solemn age-old ties that have existed between the Jenmies and the workers are being broken as a result of this movement’. All this will not deter the workers from going forward, for they see in their Union a

weapon not only for winning their just economic demands, but also of freeing them from social oppression.

18. Civil Liberties and Workers' Minimum Wages

Amrita Bazar Patrika, 11 June 1945.

A resolution demanding the commutation of the death sentences of the Chimur; Ashti and Juanpur prisoners was adopted at the third session of the Bengal Provincial Trade Union Conference held at Wellington Square yesterday (Saturday) afternoon under the presidency of Sj. Mrinal Kanti Bose.

The Conference will continue its sitting on Sunday.

Nearly 350 delegates from different parts of Bengal attended the session. The Conference also adopted a number of resolution on the political and labour question of the country.

The Conference protested against the continued detention of the members of the Congress Working Committee, thousands of Congressmen, pre-Reform days prisoners and Trade Unionists of Bengal as well as other provinces, and demanded their immediate and unconditional release.

In course of other resolutions which were carried the Conference strongly protested against the present policy and attempts of the British Government to restore the pre-war imperialist system in Burma, and demanded that the British Government should immediately enter into negotiations with the Burma Patriotic Front for the speedy establishment of a free Burmese Government commanding the confidence of the Burmese people.

The Conference expressed great concern over the likelihood of large-scale industrial unemployment in the retrenchment policy to be pursued by the Government in the post-war period and demanded that the Government's scheme for employment exchanges should be brought into full operation within a month.

The Conference demanded immediate measures for strict inspection of production, minimum basic wages of Rs 40 per month for all workers, dearness allowance compensating in full the increased cost of living and unconditioned re-instatement of workers victimised for Trade Union activities. The Conference alleged that the unpatriotic policy of the textile mill-owners of Bengal had been along with other responsible for the present appalling cloth famine.

The Conference protested against the increasing suppression of Civil Liberties in Bengal in the refusal of permission to hold mass meeting. Interference of police authorities in Trade Union activities etc. and demanded that all bans and restriction be removed and full freedom of speech, meeting, association and press be restored and guaranteed.

The Conference protested against the obstinate refusal of the Railway Board to accede to the demands of the railway workers and whole-heartedly endorsed the resolutions of the Secunderabad Convention of the Federation. It also condemned the delay of the B. & A. Railway Administration in framing a single State Railway Rules and conditions for all its staff.

The Conference extended warm fraternal greetings to the Soviet people and the heroic Red Army on the victorious conclusion of their great war and welcomed the bold and unequivocal stand taken by M. Molotov at San Francisco for the Independence and self-determination of colonial peoples.

Resolutions were also passed on the abolition of contract system in industries, adequate compensation for all workers in cases of involuntary unemployment, the continued coal shortage in the country and the demands of the Engineering workers.

Dr A.M. Malek, Mr Biswanath Dubey, Mr Bankim Mukherji, Dr Mrs Moltrayee Bose and others spoke on the resolutions.

19. Tramway Workers Go on Strike

Amrita Bazar Patrika, 20 September 1945.

Calcutta Tramway Workers went on strike from Wednesday morning.

There has begun a complete breakdown of the Tramways transport service since then. All Tram-depots have been kept under lock and key and are being watched—by policemen. The strike continues peaceful. Buses are running overcrowded and a number of the same have been stationed at important street junctions for carrying Government employees.

The strike affects 8,000 workers who maintain the city tramway service and carry more than 800,000 passengers daily.

The decision to go on strike with effect from Wednesday morning was taken at a mammoth meeting of the Tramway workers held at the Wellington Square on Tuesday evening and addressed by representatives of 20 unions.

The Tramways Workers' Union are agreeable to refer their two main demands—payment of bonus to all employees and the reinstatement of three dismissed employees—to a non-official tribunal consisting of public men commanding the confidence of the workers provided the tribunal have binding powers on these issues.

20. Tramways Company's Attitude Deplored: Workers' Stand Supported

Amrita Bazar Patrika, 22 September 1945.

An appeal to the Government of Bengal to reinstate their approach to the Tramways dispute and compel the Tramways Company to bring this crisis to an end immediately fulfilling the basic demands of the workers was made at a public meeting held at Sraddhananda Park on Thursday afternoon, Mr Pran Sankar Sen presided.

The meeting, by a resolution deplored the attitude of the Company and the Government in solving the crisis and characterised the stand taken by the Company as 'contrary to public interest and as opposed to the elementary rules of human justice and equity'. It also recorded that the demands of the workers were both just and reasonable.

Mr Sankar Prasad Mitra, who moved the resolutions said that during the last three years the tramways workers had strained their physiques and spirit to serve the ever-growing mass of passengers whose number had now risen to about 8 ½ lakhs. Most of them had been ill-fed and ill-clothed as they had to rest content with a meagre average sum of Rs 24. Considering these facts he believed that every conscientious man would call the demands of the tramways workers as just and perfectly reasonable. He criticised the attitude of the Government in referring the demands of the workers to adjudicating and conciliation board and said that their past experiences had led them to disbelieve these procedures, which were nothing but bluffs to the workers.

Mr Bhupesh Chandra Gupta said that Mr Godley ought to have come to this huge meeting and see how earnestly the Calcutta citizens had stood beside the Tramway workers in their just cause. He explained that the Tramways Company, which was now vociferously speaking of 'public inconveniences' did not go slow to take advantage of the war situation and increase its income by abolishing cheap midday fares, transfer tickets and other privileges, although such measures greatly inconvenienced the public.

Mr Gupta recalled the services rendered by the Tramways workers during the last famine and Malaria epidemic in Calcutta, and said that in any other country in such a situation the Government would have nationalized the Tramways Company.

Prof Niren Roy said that the strike of the Tramways workers was looked upon with great concern by the workers all over the province. Now that in war was over, every worker in the factories was concerned about his future. If the demands of the Tramways workers were turned down it would have its repercussions amongst them too. He felt that the mass opinion was behind the just demands of the Tramways workers.

Chaudhury Moazzem Hossain (Mia) believed that every man or woman in the country irrespective of caste or political affiliation stood behind the struggles of the Tramways workers. If it was their own Government then Mr Hossain said, the demands of the workers would not have been trampled down in this way.

Mr Bhowani Sen informed the assembly that with a view to break the unity of the workers the Company had withdrawn all food concessions from the strikers. He liked to tell the Management that they were entirely mistaken to think that they would be able to put an end to the strike by such pin-pricks, Mr Sen also criticised the Sec. 83. Administration of the Province, which publicized its so-called efficiency in big statements, and yet inconvenienced the public by allowing its vital transport service to remain closed for 48 hours.

Messrs Promode Kumar Ghosad, Satyen Mazumdar, Birendra Ghattat, and others also addressed the gathering.

21. Workers Unrest in Bengal: 12,000 Men on Strike

Amrita Bazar Patrika, 27 October 1945.

The Working Committee of the Bengal Trade Union Congress issued the following statement on Thursday.

It is a matter of grave concern that a large number of workers of different industries of Bengal are either involved in strikes or faced with unavoidable strike situation. Already about 12,000 workers are on strike and the situation in many other concerns is worsening in such a way that strikes may spread in the near future, in all the industrial areas of the Province. The following are some of the instances of the strikes:

1. Allenbury Automobile Company: Today is the 20th day of strike in which 1,500 workers are involved.
2. Robert Hudson: 500 workers of this concern are on strike for the last 23 days.
3. British India Electric Company: This is the 13th day of strike in which 1,500 workers are involved.
4. E.I. Rly. Press: Strike has been going on for the last fortnight involving about 1,000 workers.
5. Braithwaite Company: 3,000 workers are involved in strike for the last 16 days.
6. General Electric Company: about 1,000 workers on the strike from 23 October.
7. National Iron & Steel, Belur: 2,000 workers are on strike from 22 October.
8. Dutson Engineering Corporation: 100 workers are involved in strike.

Besides the above industries and concerns actually involved in strike, there are a number of companies on which strike notices have already been served by the Unions and actual strike is only a matter of days. The most important among these cases are Howrah Water Works and Cossipore Jute Press. In a large number of factories situation is going from bad to worse and any day strike may be precipitated on the slightest provocation from the Company. Such is the condition in Baramasla Tea Garden of Chittgong, Bharatla Electric, Jay Engineering, Jas Aleseander, Saxby Farmer, Bengal Pottery of Calcutta, IGN of Matiabruz, Guest-Keen and Turner Morrison of Howrah, Rifle & Metal Factories of Ichapore, Tata Aircraft of Dum Dum and many others.

Long Standing Disputes

These developments have not taken place all on a sudden. Long standing disputes have existed in almost every case and workers have patiently tried every constitutional means at their disposal and waited for long for the Government conciliation machinery to move. But in each case Government has exhibited utter callousness and has thereby encouraged the employers to be more autocratic than ever before. To give only some instances: In Allenbery Workshop even after preliminary settlement the Company refused to pay Puja bonus to workers; in Robert Hudson when the question of bonus was under consideration, the Company suddenly dismissed one Union leader without any reason; authorities of the Braithwait Company refused to listen to the grievances of the workers. EI Rly. Press workers' memorandum was disregarded for month and a strike was precipitated by acts of personal violence on some of the workers by some of the superior staff. The British India Electric Company is paying high bonus to its staff but has refused to pay a pie to the workers. GEC Company has engineered petty cases against the Union leaders in Baramasia Tea Garden. Union members are refused lands or any other concession and in this way the strikes are being provoked. Government held up each of these disputes for long and made the workers utterly disgusted with the official conciliation machinery. Even the Adjudication awards of the Government are being violated by the employers and the Government has not enforced its own law. The Steel Product Company has cut down dearness allowance awarded by the Adjudicator from Rs 17 to Rs 7-8 and the Government has failed to enforce the award.

Planless Retrenchments

With such a bureaucracy at the back, the employers will no doubt feel doubly strengthened and pursue whatever policy they may think necessary in their interest. The mass retrenchment that is going on in most of the factories is a clear indication of that policy. These retrenchments are not only planless, in most cases it is a calculated move to weaken the Trade Union movement. Absence of any Government Policy to provide the retrenched hands any alternative work or compensation, has encouraged the employers to retaliate on the organised Trade Union movement. This is the main factor in most of the strikes mentioned above.

We anticipated this situation and warned the Government that further continuation of such dangerous callousness on their part might result in more serious consequences. Our apprehension has proved correct. We therefore appeal to public to enter vehement protest against this callousness of the Government and to stand united by the working class in their struggle for justice.

22. Free Leaders, End Deadlock

All-India Kisan Sabha Session at Netrakona, 11 April 1945; *People's War*, 22 April 1945.

Of the total number of 1,572 elected delegates, about 640 attended the Conference. All Bengal districts sent representatives, including the picturesque Manipuria under their leader Iravat Singh (just released from jail) and the martial Gurkhas from Darjeeling. But the most arresting contingents were 3,500 Hajangs (a tribal people from Mymensingh) who with their women and children marched from a distance of as far as 90 miles; and nearly 500 Muslim Kisans from Tippera.

Queues of from-country marchers began to flow in literally by thousands—men, women and children, Hindus and Muslims, peasants and urban people. 3,500 marchers arrived in batches from Sherpur trekking a distance of 84 miles; 1,000 came on foot from Kishoreganj and another 3,000 from 10 miles away from the Suing area....

Political Resolution

The political resolution condemned Amery and Mudle for refusing the demand for release of Congress Working Committee members and other anti-Fascists. The resolution declared: 'Gandhiji has made it clear that he would not propose to start any struggle or civil disobedience and the bulk of the Congressmen who are out are engaged in constructive activities for the revival of political life and for relief of the people. In North-West Frontier, Province, Congressmen have formed a Congress Ministry with the consent of Khan Abdul Ghaffar Khan and Gandhiji for the same purpose. Under these circumstances, there is not the slightest justification for further incorporation of Congress leaders.' It demanded their release, 'so that united efforts can be made for the solution of the deadlock and for the formation of Provincial Government of National Unity at the Centre and popular Governments in the provinces.'

Such a Government alone can check further economic deterioration, and inefficiency of the bureaucracy, hoarding and black-marketing, and enable India's chosen popular leaders to participate at San Francisco. Urging intensified release campaign, an appeal was made to the released Congressmen to follow the Frontier example and ensure new ministries, enjoying support of all patriotic parties, pledged to release political prisoners and restore civil liberties, root out corruption, hoarding and black-marketing, ensure food and cloth.

While supporting the Bhulabhai-Liaquat proposals, the resolution appeals for an abiding agreement between the Congress and the League and a permanent settlement and urges fresh Gandhi-Jinnah negotiation. 'Such a course would immensely strengthen popular forces in the country and turn the tables against Amery and Mudle, and defend their game of perpetuating deadlock and denying power to the Indian people.'

23. Firing on Adivasis: Indiscriminate Arrests of Panic-stricken Villagers

Bombay Chronicle, 26 October 1945.

The honorary secretaries of the Adivasi Seva Mandal have issued the following statement on the firing on the Adivasis near Bhilad in the Umbergaon Taluka of the Thana District:

Our first statement has already appeared in the Press. We toured the area for five days from Monday, 15 to Friday, 19 October. Our first task was to ascertain how many were killed, how many wounded and whether there was any arrangement made by the authorities or other agencies for rendering medical and other aid to the victims of the firing and then also to ascertain the origin of the incident and the condition of the landlords, who were assaulted. We saw the District Superintendent of Police immediately on our arrival at Bhilad. He was not able to give the figures of the casualties suffered. We had a long talk with him regarding the origin of the trouble, the subsequent developments, the cause of the firing and the measures taken by the Government to allay the public feeling we then saw the two members of the Dhapare family at Shirgaon who had been assaulted by the Adivasis on the 9th i.e. a day previous to the first firing. We found that one of them had received a severe beating by lathis all over his body.

Origin of the Trouble

We proceeded to Talassari where the Mandal opened an Ashram last year. Between Bhilad and Talasari it is the area where the firing took place. During the period of our camping at Talasari for three days and at Bhilad for one day, we visited about ten hamlets on either side of the Talasari Bhilad Road (i.e. the Bombay-Ahmedabad Road). We found the Adivasis terror-stricken, it's a result of the firing and of the posting of armed police parties in several places in this area. We visited the mother of one Jetha Kakaaya Gangad from Varvada who was killed in the firing on the

night of the 10th. We also met some of the wounded from the different hamlets. We got first-hand information from these and other persons as to how the firing took place on the night of the 10th and on the 11th. According to them, a cry was raised on the 10th sometime after it got dark in some of the hamlets towards the northern Bhilad side that every one should come with lathis, batchets, etc. to Talvada, a market place where the Communists had been holding the meetings, and it was passed on through the night from hamlet to hamlet. Hearing this cry, people began to rush to that side. The District Superintendent of Police with a police party had gone to Achhad, to arrest some alleged dacoits. He met a crowd hear about Achhad. He tried to pacify it, but some mischief-mongers began throwing stones and the District Superintendent of Police ordered firing. One man, Gangad, was killed and two or three were wounded. The crowd then dispersed.

The news of the firing immediately spread in a perverted form to the remotest jungles of Umbergaon and Dahanu Talukas. All through the latter part of the night of the 10th and the morning of the 11th crowds from distant pieces were rushing towards Talvade. Shri Joshi, the Mandal worker, tried to persuade the crowds passing through Talasari not to proceed further. At least not to carry weapons. But they would not listen. The crowds came up against the police, who were patrolling the road in their van, twice on the 11th, once in the morning and once in the afternoon, and there was firing. About a dozen persons must have been wounded, of whom two are reported to have died later on. After the third firing the crowds dispersed through the jungles. Whether the firing was justified and whether it was excessive, we were not able to ascertain. It is however, clear that the police were firing from the roof of the van, which was converted into a sort of an armoured car. No one from the police seems to have been hurt, though there was stone-throwing. The firing, we fear, must have been indiscriminate. We feel that these should be an open and independent inquiry into it.

Landlords Exploiting Situation

We found that after the firing the people from the nearby villages were so panic-stricken that they left their hamlets and hid themselves in the jungles. For one or two days, they had to go without food. Slowly, they began to return. Wherever we went, we advised them not to leave their homes and hamlets, but to be busy with their own harvestings, as otherwise the crops ready would get damaged. We tried to allay their fears and remove their panic. Our offer of help to those in need was welcomed. People were afraid to disclose their injuries and give their own version. They feared that the police would arrest any one who came forward and their fear was not groundless. They further feared that the landlords would try to get rid of any one who dared to refuse to work for them even on just grounds by getting him arrested. In one hamlet, a wife complained to us that her husband was got arrested by a particular landlord, because he was a witness to the mischief played by this landlord during the present trouble. Then, there are armed police parties posted on the farms of the landlords. While returning from a hamlet of Nandgaon to the main road, we found a party of landlords with some armed policemen waiting for us in a bus. Immediately we reached the bus, the police and landlords showered a volley of questions on us making allegations that we were inciting the Adivasis to violence etc. We had talks with more landlords at Bhilad and Umbergaon. They believe that with the help of the police they have succeeded in cowing down the Adivasis and that therefore, no outside agency should be allowed to peep into their doings.

In the course of our tour, we found some Adivasis being still forced to work on a wage of an adholi of paddy (worth about 3 annas) plus 2 annas in cash per day, though the landlords had agreed at the Collector's meeting at Sanjan to a wage of 12 annas. The Adivasis fear that the landlords will exploit the situation created by the police measures like arrest on large scale, to their advantage.

Indiscriminate Arrests

We want to emphasise that the indiscriminate arrests, which are at present going on, the arrests of wounded boys, the posting of police parties everywhere the present attitude of the landlords, all these are obstacles in the restoration of real quiet and peace. Beneath the apparent quiet we found several issues burning in the minds of the Adivasis. Though terror-stricken, at the present moment, they are still firm in their resolve to assert their rights, and free themselves from their slavery. Unless both the authorities and the landlords adopt a policy of real conciliation, there is bound to be trouble in future. The authorities should withdraw the police parties, stop the arrests now being made indiscriminately and announce their intention of not proceeding against all those who had been duped to collect on the road 10 and 11 October by the cry which went round. The landlords must give up their present mood of exultation. They must realise that directly or indirectly they or some of them are responsible for the strike and for inflicting the present suffering on the Adivasis. Knowing that the harvesting season was approaching and that the Adivasis were getting restive over the question of rates and knowing further the Communists were exploiting this situation, they did not take any steps to get a proper wage rate agreed upon. They allowed things to drift even though the discontent was growing. The culmination of all this was the present firing and loss of life. They must now change their attitude. Their ideas of social justice must undergo a revolution. We are conscious that the landlords will resent any such unsought for advice. But it is our duty to place before them and before the public the real situation as we saw it and our suggestions as to how to remedy the same.

Duty of Backward Class Officer

We are of the opinion that the Backward Class Officer and his Assistant Mr Save should camp at Bhilad and help to ease the situation. It is surprising they are nowhere to be seen at this critical juncture. This is really deplorable as the protection of the Adivasis has been specially entrusted to them. We have already written to the Backward Class Officer in this connection.

Although we have returned to Bombay, our other workers are at Talasari and they are visiting distant villages trying to pacify the people, rendering them whatever help they want and gathering all relevant information. One of their tasks is to explain to the people the rates of wages as agreed to be paid at the Sanjan meeting viz. 12 annas for a man, 10 annas for a woman and 6 annas and 6 paise for a boy. Though the Adivasis were not a party to the agreement, they seem to have accepted these and our workers have to see that the landlords actually pay this rate. As regards the piece-work rate for cutting grass we think these rates would be Rs 3 and Rs 2–3.0 per 300 lbs of grasses. In some places the landlords are actually paying these rates. We regret the Collector has recommended lower rates than these and we hope these will be revised.

We have placed our views before the Collector and he has accepted most of our suggestions. We hope the situation will now improve.

The Adivasis Seva Mandal has made arrangements for the defence of the Adivasis who will be paid up for riot believe the Courts and it give peace any and other relief to the sufferers.

24. Police Fire on Maharashtrian Peasant Aborigines

Communists, Kisan Sabha Workers Arrested, Externed, *People's War*, 28 October 1945.

On 10 October, the police opened fire on a gathering of 7,000 Warlis—(advasis aborigines) in Umbargaon taluka in Maharashtra. One Jethya Gangda, was killed on the spot, over ten were seriously wounded, of these two died later.

The Police resorted to 'prompt measures'. Dalvi, a local Kisan Sabha organiser was arrested for 'waging war against the King-Emperor'. Three Communists, Phadke Pradhan and Patki who went there two days later for getting the kisans on the electronic roles were arrested on the charge of 'committing dacoity'.

S.V. Parulekar, MLA Secretary Maharashtra Provincial Kisan Sabha, Godavari Parulekar, Joint Secretary of the Sabha and Kamalakar Ranadhye, organiser of the Dahanu, Taluka Kisan Sabha were served with notices ordering them to leave the Umbargaon and Dahanu areas and forbidding their entry there until further orders.

Similar orders were also issued against photographer Sunil—and myself who went there a correspondence of *People's War*. The one against Sunil was enforced immediately. But I was already away among the Warlis. And hence I am able to make their report. On my return I was also served with the order.

Landlords Beat, Murder

These developments were certainly not sudden. They are the outcome of a conspiracy to crush the new awakening among these Adivasis under the Kisan Sabha flag.

The Warlis have had to face some of the worst feudal exploitation so far. To quote just two instances.

Near Mahaluxmi, a village in Dahanu Taluka, a Parsi, landlord used the pounding rod to force his tenants to pay arrears of rent. A tenant was thrown on the ground and two men pressed the two ends of the rod with their feet against his stomach and he agreed to pay-up.

In Kalnad; another village, a Parsi Sahukar used fumigation with chillies as a weapon, to force payment of arrears. The defaulting tenant was tied head downwards during the process and was simultaneously whipped.

Wanton beating, even occasional murders by landlords—these were a common feature.

Feudal Serfdom

Feudal serfdom passed here under the name of 'marriage her vanls' and this was only one of the practices. The Warlis due to extreme poverty, were forced to borrow on occasions like marriages. In return the landlords make them lifelong slaves, giving them only food for their work. This practice obtains on the fruit-growing areas, owned mostly by Iranis.

The landlords took this as their accepted right.

But then came the Kisan Sabha. The Warlis refused to slave on forced labour. On 20 May, 1945, the Sabha held a conference of the *Adivasis* at Zari. Thousands from Umbergaon Taluka attended it. They carried the new message to their brothers in Dahanu Taluka. Warlis from Ambesarl Dhamangaon, etc. flocked around the Red Banner of the Sabha.

Chandu Bodhla, a Warli from Kawad, gave up his 'service' to be a Kisan Sabha organiser.

Goviad Master, an educated Warli, started campaigning.

Week after week Warlis from villages even ten miles around attended meetings in their thousands. On 8 October, a meeting of 7,000 at Kosbad, decided to end the practice of 'marriage servants'.

'Marriage Servants' Strike

Next day 3,000 'marriage servants' threw off the yoke and demanded a monthly wage of Rs 30 to 35. When the sahuks refused they came out on strike.

So penalties had been the life of these sahuks that a Parsi sahuks was forced to press into service his womenfolk to get his buffalo-driven tonga onto the road, as a result of the strike.

But matters came to a head on the issue of harvesting. The sahuikars had made huge profits during the last three years due to the high war-prices. But this year when the men demanded wages, they refused to consider the demand. And what were the wages demanded?

For grain-harvesting, they were one rupee for men, twelve annas for women and eight annas for children. For mowing grass for a bate of hay of about 500 lbs., they demanded Rs 2-3, since it was labour of about two days.

Such indeed was the work of Sabha and the unity of the men that not a single Warli, out of a total of 70,000, was on work on the harvesting day.

The panic-stricken sahuikars rushed to the Collector at Thana for aid. The Collector replied he could not force anyone to work. The bosses were on the run.

They approached B.T. Ranadive at the Central Headquarters of the Communist Party in Bombay. They were told to 'settle with the local Kisan Sabha'. The sahuikars now tried their last trick.

Sahuikars' Conspiracy

On 10 October at night, in the villages of Nandgaon, Varhwad, Nargol, etc. the Warlis were told 'by someone' shouting to the streets:

'Bai (Godavari Parulekar) is coming for a meeting at Talawade. The Sahuikars have called in their "mavalis" to disrupt the meeting. 'Bal has asked you all to come armed with lathis and sickles.'

At other places they were told that military was being rushed in to break up the meeting:

'March to the station fight them back.'

This was done at seven or eight places in an area of about 40 miles.

This same was played because sense of the Kisan Sabha workers was is the vitality. Godavari Parulekar was by Kalyas. Dalvi was it Keshad, Kamaiskar Kanadive was among the Warlis, for away from Talawade.

The rose worked. Nearly 7,000 men, some from villages 20 miles away, rushed to Talawade with whatever they could lay their hands on.

Police Rush Aid

Earlier in the night 'Zooth' Maneckahaw, a Parsi sahuikar of Achhad, near Talawade, telegraphed to the DSP.

'Armed dacoits surrounding my house. Rush aid immediately.'

The DSP did rush up with a pose of armed police. But there was not a soul in the vicinity of Maneckahaw's house.

On their way back the police saw this gathering of Warlis going to the meeting. They opened fire. The attack was sudden. But the bolder among the men stood their ground. For they felt that 'the military was fitting to break up the meeting.' Others escaped into the jungle.

The Police say the Warlis pelted stones at them. Hence they had to open fire. But this also they did 'in the air.' Facts, however speak otherwise. *Jethya* died with a bullet in the stomach. A Warli from Varhwad had a shot in the thigh. Two others have similar wounds.

The men maintain that 'shots were fired as soon as they saw them'. Also that the police car went around the whole night and fired any time they saw a group of Warlis assemble.

And yet, despite this firing, he thought that the 'flag' had announced a meeting, brought about 4,000 Warlis to the same spot the next day. Meanwhile one Kisan Sabha worker had rushed to the spot. He held a meeting and told them that 'the Flag had not announced any meeting. Someone had played a mean trick. All may go home.'

But by then the Police lorry also came on the spot. Once again they refused to inquire into what was happening. Straight off they fired into the meeting. Two Warlis lay wounded. But the lorry moved ahead not stopping to even see the results of the firing. The Kisan Sabha workers gathered the people and told them to go home in disciplined manner. They left taking the wounded along. But the first blood was spilt. Their 'flag' was dyed in their own blood.

Next day Sec. 144 was imposed. None was allowed to carry lathis etc. Communist workers Phadke, Patki and Pradhan who went to Khatalwad on the 12th for Assembly Election enrolment work were arrested by the DSP Sharif Khan, on a charge of dacoity. And this on the word of a Police Patel and Sahukar, Vasant Veerkar. This Veerkar is notorious for harassing the Warlis. The three 'accused' were in the lock-up for four days, without the Magistrate's orders, without even their statements being recorded.

The same evening Dalvi, Kisan Sabha organiser, was arrested. There was no charge against him for two days. On the third day he was charged with 'waging war against the King-Emperor'. He was handcuffed, tied with rope and taken to an unknown destination. Ten Warlis also were arrested on the 'charge of dacoity' and taken to Thana Jail, bound with ropes.

On the 14th the Collector called a meeting of the sahuks. One Hindu Sabha's sahuks, Mr Deodhekar, said 'The Communists are responsible for the disturbances, Extern them forthwith.' This Mr Deodhekar was so blind in his class hatred against the Warlis, that he did not worry that this externment if enforced, would also apply to his son who is a full time Communist worker in Bombay.

The sahuks assured the Collector that they 'would not seek compromise with the Communists' and that the 'Warlis would resume work within two days'.

A Congress-minded sahuks among them let the cat out of the bag. He boasted that the Communists could not be returned to the Assembly after all this.

When S.V. Parulekar later put forth the men's demands before the Collector the sahuks refused to hear of any settlement.

Kisans' Story

We went to see the Warlis. Their huts lie scattered about the jungle. And we had to cover about 30 miles on foot to reach them.

They were intensely suspicious of the sahuks. But when they knew who we were, all help was offered. One cooked for us. Another carried our messages. At dead of night we were awakened. The Warlis had come to see us. They were tremendously enthused to hear that 'Bal had come to Khatalwad', the Kisan Sabha Centre.

They discussed the events. A youth said:

'The Parsi Sahuks meets me on the road. He threatens me. Says that if all of you don't resume work. What happened at Talawade, will be repeated everywhere.'

Another reported:

'The sahuks says that the Lal Bawata is dead. Now we can re-start veth-begar (forced labour) again.'

We asked them about their strike:

'Not till the flag tells us to resume. And why should we? They don't accept our demands.'

They were unanimous.

The Police do not apparently take it to be their duty to investigate into the matter. For them, the sahuks' word is enough of evidence to have to go to the men.

Adivasi Seva Dal

But what are the Congress leaders doing? They have an 'Adivasi Seva Mandal' with Bala Sabib Kher, Ex-Premier of Bombay and Acharya Bhise, as its president. It is very revealing to see what these Congress leaders and their Mandal are doing for the Adivasis.

Most of the local Congress leaders are themselves Sahukars. Pethe, a local pleader and sahuakar got his Congress ticket just on the eve of the last assembly election. And he was practicing 'veth' alright. He is also the trusted lawyer of the sahuakars to fight their cases against the Warlis. Two other Congress leaders are Dandekar and Vartak, both big sahuakars.

It is with the cash of such men that the 'Adivasi Seva Mandal' runs its show. How then could they be expected to play false to them?

Leader's Cheap Gibes

Acharya Bhise is a big leader of the 'Mandal'. His contribution to solving the 'veth' problem was a few showy entreaties addressed to the good sense of the sahuakars. When the Kisan Sabha moved in, he started abusing it. This Acharyaji sought permission to speak in the meeting of 8 October at Kosbad, above referred to. He voluntarily undertook not to attack the Sabha. And yet no sooner was he on his feet than he started.

'Congress has fought for sixty years. The Red Flag does not belong to the Indian Kisan. It is Russia's flag.'

These cheap gibes of Acharyaji infuriated the Warlis. Up jumped an old Warli and thundered: 'None even so much as cared to look at us so far. Now our Red Flag has come to our aid. You were hardly five miles away all these years. And yet you never seemed aware of our struggle so far. Only last year the Flag came to us. And it has ended our 'veth'. Now we can have our big meetings'.

This rebuff sent the Acharyaji to 'the other side'. He came out with a statement to the Press. In it he charged the Communists with 'inciting the Warlis'. He also tried to put across the lie that the Communists were willing to withdraw the strike on 10 October. Finally he ended with a veiled suggestion to Government to extern the Communists. What about the firing on the Warlis? Did Bhise demand an inquiry? Nothing of the kind.

Sided with People's Enemies

Instead, the Secretary of the 'Adivasi Seva Mandal' in a Press statement of 10 October maintained that the 'Communists make inciting speeches in meeting of *Adivasis* and in the absence of the opposite side. The speeches rouse great unrest and deep-seated fury among this ill-organised huge mass.' Continuing: 'Strikers in some places are unruly. The District Magistrate was obliged to enforce Sec. 144 in Umbargaon and Dahanu. Police had to open fire on two hug crowds of Adivasis. Some Adivasis are injured, some wounded.' (Italics mine).

The Congress Ministry had abolished this 'veth' in these talukas. The zemindars, however, observed the law more in its breach. And yet Mr Kher never took any action. Today when the Adivasis are asserting their rights as human beings, the 'Adivasi Seva Mandal' finds nothing untoward in the bureaucracy's efforts to wantonly suppress them.

Bhise and the anti-Communist nationalist dailies of Bombay, Lokmanya, Janmabhoomi, Vande Mataram, etc. at first gave out that the strike was being 'conducted by the Mandal'. But this could not go down. So how the tune has changed to attacking 'the outsiders inciting the Warlis'. Reports are daily being poured out that the strike has been broken, etc.

Same as Government

Significantly enough the propaganda put out by the anti-Communists today is exactly the same as the Government version of the whole affair. Both have joined hands in condemning landlord and police repression and condemning the Communists.

Thus the Bombay Government Press Note dated 19 October says:

‘Communist activities among the Warlis, a very backward people, led to disturbances....

‘Political talk about taking loans from the landlords and giving them to the tenants was followed by as agricultural strike....

‘In suppressing outbreak of lawlessness, however, the police, in self-defence, had to open fire.’

Almost an exact echo of the statement of the Secretary of the ‘Adivasi Seva Mandal’.

But the Warlis are not alone. About 500 Muslim houses in Sanjan the Taluka town, stand by them. We met some Leaguers on our way back after the failure of the compromise talks with the Collector. They said ‘The Muslims will back the Warlis.’

Later we came to know that the Sahukars had offered these Muslims up to Rs 150 per month for cutting the hay. But they refused to play false to their Warli brothers.

Today all the 70,000 Warlis are bravely carrying on the strike, despite the repression and the Congress leaders’ working hand-in-hand with the Sahukars. This attack on them is an attack on the Kisan Sabha. People must demand an immediate and impartial inquiry into the sins and punishment for those found guilty of spilling the blood of these tillers of the soils.

25. Report to HEH the Nizam’s Government on Communist Agitation in Hyderabad State¹

Proceedings of Ministry of State, GOI, File No. 15P(S) 1947, NAI.

1. I reported to you personally on the evening of Tuesday, 3 December the latest position in regard to the Communist disturbances in Nalgonda so far as the reports then received went. I went out yesterday to Suriapet with the Director-General of Revenue, The Director-General of Police, the Home Secretary and the Additional Revenue Secretary, to the camp just outside the town which contains the headquarters and one squadron of the Second Lancers. There we had a full discussion with Brigadier Gilbert, Brigadier Chamarett, the Commanding Officer of the Second Lancers and other military officers, as well as with the Subedar, the Taluqdar, the DSP and other local revenue officers. We came then to some provisional conclusions but afterwards I have somewhat modified these because I went after the meeting to talk to the prisoners in the empty cinema hall which is used as a temporary lockup for the prisoners taken in the raids on the villages which had become notorious centres of disaffection, and had a further discussion with certain missionaries, as Indian Roman Catholic priest and Mr and Mrs Rowland of and American Baptist Mission.

2. There were about 70 prisoners in the cinema building who were all that remained of the 595 prisoners hitherto taken; 213 had already been released and the rest dispatched to either the Central Jail in Hyderabad or to the District Jail at Nalgonda, a recommendation being made to Government to detain them for some time further under the Defence of Hyderabad Rule 119. It was proposed to release those still kept at Suriapet fairly soon, with two exceptions. It was, however, pointless to detain them there longer, and I took the opportunity first of having a heart to heart talk with these men and obtaining an assurance from them that on release not only will they take no further part in disturbances against Government but will do their best to chase out of their villages any Communist workers who may turn up. I then released the whole lot including even

the two whom the police had wanted to retain. One was a Christian for whose *bona fides* Mr Rowland was prepared to vouch, and the other was an elderly man with a young family whose wife had died of pneumonia after his arrest. They all fell at my feet and were extremely grateful and I think that the releases will have a good effect.

3. The marked thing about these prisoners was that they were nearly all *decent villagers*, including cultivators, agricultural labourers, depressed classes and even Roman Catholic and Baptist Christian converts. The presence of the latter is a clear indication that there is a lot more behind the disturbance than mere Communist propaganda. Talking to the prisoners I gathered that for years the local *patels* and *patwaris* (who as almost everywhere in the State are hereditary) had tyrannized over them in innumerable ways, particularly taking *begar* from them and rackrenting those to whom they sublet their own occupancy holding's and *seri* lands. To this age-long oppression many village officers seem to have added recently much oppression and dishonesty in connection with the grain levy and procurement by purchase, the so-called *Khush Kharidi* procurement. It was generally complained that the village officers had compelled men with even small stocks of grain which would be sufficient for their families until the next harvest to part with half of their stocks, while the village officers themselves evaded levy and purchase and brought no pressure to bear upon the substantial ryots of good caste. In many villages it is complained that patwaris have been at least extremely eclectic in paying to the tenants the money received from Government as the price of the levy grain. It is interesting to find that in several cases the villagers said that they had no complaint against the Deshkukhs who had intervened on their behalf to bring pressure to bear upon the watandari village officers. The system for leaving and procuring grain included the formation in each village of food committees which were supposed to consist besides the patel and patwari of representative and influential persons of each numerically important caste in the village. But the Nalgonda ryot, like the ryot throughout Telingana, has hitherto been so cowed done by centuries of submission to these hereditary village officers that there have been few Telingana villages in which these food committees have shown any independence of the village officers. I believe it will be necessary to carefully reconstitute these village food committees and if necessary to exclude from them the village officers. It would probably be advisable to have a sort of informal selection of the committees by the Tahsildars in conference with a public meeting of all the adults in the village, on the lines laid down in our Panchayats A' in for the election of members of Panchayats.

4. Into villages deeply upset by the imposition of food control, etc. over and above the traditional oppression of the village officers came Communist agitators. We have a certain number here in Hyderabad City but the general inspiration of the Communist wing of the Andhra Maha Sabha in this State has been the Andhra Communist Party with headquarters at Bezwada, the printed programme of which includes amongst other things the detachment of the Andhra districts of this State from the rule of His Exalted Highness. In fact our Andhra Communists are really only part and parcel of this general Communist Party for the whole of Andhradesh. Even before the war Bezwada was a nest of 'Trotskyites' working for a peasant uprising, and it was in the areas where these Communists had been at work that during August 1942 there were the most violent attacks in Southern India on railways, police stations, etc. At that time they gave little trouble on our side of the border though there was an attempt to derail a train on the Dornakal-Kothagudem Branch line. Latterly, however, they have paid ever growing attention to this State, particularly to the southeast portion of Nalgonda and the southern portion of Warangal District, which border on Madras. In the south-east comer of Nalgonda it is all the easier for agitators to incite the people to break the law, and to go to ground when there is a hue and cry, because of the presence in the Huzurnagar Taluq of the District of two large enclaves of Madras territory. The Communists moreover followed here the tactics which according to the latest reports from Madras they are

following these, namely of disseminating wild and abusive stories about the police action wherever the police go to investigate even normal crime. I do not know what will be the finding of the Naik Committee on the allegations made by R. Narayan Reddi, our own Communist leader, about the police atrocities alleged to have been perpetrated at Aknur, but R. Narayan Reddi was being prosecuted for these and other wild allegations which the police held to have been disproved. I only mention the Aknur case here to show that whether these allegations contained truth or not the exaggeration and boosting of the allegations is typical of Communist propaganda both in Madras Province and this State. Moreover our police are *zabardast* in their methods, and the last thing that they will learn will be to regard themselves as being the servants of the public. To this tendency to regard themselves as too big for their boots had been added inefficiency in investigation and slowness in dealing with complaints and listening to grievances. The Taluqdars of Nalgonda until recently was Mr Najmuddin Ansari HCS., a weak and ineffective officer; it will be remembered that this officer by his weak compliance with the importunities of Mr Abu Jaffar Sharfuddin HCS, the young DO of Miryalguda, recently facilitated that officer fraudulently obtaining a large loan from the Huzurnagar Taluq Development Union for financing the purchase of a film. In contrast to his predecessor, Mr Muhammad Abdulla HCS, the present Taluqdar of Aurangabad, who was active throughout the District, Mr Najmuddin Ansari does not seem to have had his finger on the pulse of any part of his charge. He certainly gave little indication of the growth of Communist influence and seems to have done very little, to look into grievances or abuses. There is at present also a not very satisfactory DO. The Tahsildar of Suriapet whom I saw yesterday though old and old-fashioned has an excellent command of Telugu and quite obviously had a sound influence amongst the villagers as indicated by the rapid way in which he got hold of the prisoners in the Suriapet cinema building. I should say however that he was not nearly active enough for coping with the difficult situation that has arisen.

5. If the District, Division and Tahsil officers had moved freely round their charge and toured properly in the interior, and if the local police Sub-Inspectors had done their duty, I cannot but feel at least that the various grievances over village officers withholding payment for grain levied or purchased by Government would have been properly attended to and not been such useful handles to Communist workers. The situation throughout this part of Nalgonda and perhaps to some extent in the adjacent parts of Warangal (though hitherto there has been little active Communist trouble there) in fact resembles very much the deep unrest that was prevalent amongst the Gonds in the interior of the Adilabad District until Baron C. von Furer Haimendorf and his wife moved amongst them and by enquiry into their conditions laid the basis for the various ameliorative measures which have since converted a sullen and discontented aboriginal population into the loyalist and most cooperative rural population in the State. The difference between the populations of the Nalgonda and the Adilabad districts is that the former have lived in open country for centuries and are far more alive now to their real or imaginary rights than the Adilabad aboriginals, but I have no doubt that fundamentally the main features of the Nalgonda unrest are the same as those of the Adilabad unrest, and that the treatment that would be most successful would be akin to that adopted in Adilabad in the light of Baron Haimendorf's reports. I do not know whether you have found time to read the collection of administrative reports by Baron Haimendorf which were printed under the title 'Tribal Hyderabad'.

6. I have gone at some length into this because it seems to me that we should revise our action in Nalgonda in the light of these instructions. So far, since the troops arrived, the method has been to select those villages which had been most defiant of the Revenue, Supply and Police officers and which had attacked village officers, etc. including above all some villages which under Communist auspices were almost working a parallel Government like the Patri Sarkar of the

notorious Nana Patel in the Satara district of Bombay. This was necessary, but not enough. Take for example the village of Patha Surapet, which is one of first and most hostile of the villages to be raided. Mr and Mrs Rowland know the village and assured me that at the bottom of this discontent there was a tale of the withholding of payment for the levy. Several attempts to secure investigation by local authorities are said to have failed. The tactics adopted have been for the military to cordon the bad villages before dawn and for the police then to go in to arrest Communist agitators. The villagers have offered resistance, opposing them and using slings to stone the police and military and in some cases opening fire with muzzle-loaders, though hitherto they have inflicted no casualties on the military. Consequently when resistance was ultimately overcome the military and police have rounded up a large number of villagers somewhat indiscriminately. These have been taken off in lorries to Suriapet, where the empty cinema building already mentioned made an excellent temporary jail. On somewhat superficial scrutiny the prisoners have been divided up into those who should be detained for some time and those who should be kept somewhat longer at Suriapet before being released; I should, however, mention that many of the prisoners taken have been released before the police and troops have left the village where they were taken prisoners. Sometimes the action taken has included a follow-up visit after some days; in fact the Communists have told the villagers that the military and police are more or less like flood water flowing over high grass and beating it down but the flood passes after a day or two and the grass then rises up again. This will be true so long as we only follow what Swami Ramanand Tirath with some degree of truth has described as our terrorist methods. What we badly need is to take immediate steps to reassure the villagers, the bulk of whom are still loyal to Government but want to see their genuine grievances remedied. We must make them feel that they can come to Government officials and get justice more speedily than they can if at the behest of Communist agitators they try to take the law into their own hands. Many of them have resisted Communist tactics and some have been beaten or otherwise coerced for their pains. It has been natural therefore when they get no redress from Government for them to take the line of least resistance and give in to the Communists.

7. Everyone, including the missionaries, recognises that the Communist agitation must be suppressed and that the villagers who persist in taking the law into their own hands must be dealt with firmly. But in my Suriapet meeting with the military authorities, etc. everyone agreed with me that we ought now to do more and send the troops not only to hostile villages but on friendly flag marches or fraternization marches into those villages which have been loyal. The troops will have to be provided with some funds to arrange rallies, including sports and joy-rides in armoured vehicles, wireless, cinema shows and if possible a military band. Some of the Deshmukhs are good and could easily be persuaded to invite troops and arrange such a reception in the villages. I asked the officer commanding the Second Lancers to make a beginning by being at home to the people of Suriapet itself, especially the schoolboys who had been much influenced by Communist ideas and are still more after the police lathi charge made on them some weeks ago.

8. The sooner we can get on to regular touring by revenue officers in the disturbed area the better. Until some more village raids have been effected this will not be safe in many parts of Jangaon, Suriapet and Huzurnagar Taluqs. Huzurnagar Taluq in particular seems to be bad, but until a second mechanized unit moves into the area the number of police and troops is insufficient: the raids already effected have however had good results. Some villagers are themselves coming in to profess their loyalty and what is even better some are taking steps to apprehend Communist workers. From now onwards, beginning with friendly villages, we must have intensive enquiry in every village into grievances. We thought that a good way of doing this would be to send to Nalgonda some of this year's batch of HCS recruits to the Revenue Department, for such field

work will give excellent training in contacts with villagers; but on further consideration I think we shall need some selected Hindu revenue officers also, with more experience, to work in teams to expedite the enquiries. We shall also have to speed up the appointment and work of the Record of Rights Parties and I am convinced more than ever by my visit of the necessity of the recent amendments of the Asami Shikmi Act which Council has recommended to His Exalted Highness; I hope that the Firmans approving both the Record of Rights work and amendments to the Asami Shikmi Act will be received immediately after the first 13 days of Moharram are over.

9. There are many *Jagir* villages in Nalgonda, especially in the Bhongir Taluq, and though they could not give me any figures during my visit, I gather that there has been no survey-settlement as yet in more than half of these. The assessments charged by the Jagirdars are far higher than those prevalent in the adjacent *diwani* villages. We have recently amended the Land Revenue Act to make survey-settlement of Jagirs compulsory, and I have asked Mr Savidge to work out immediate proposals for special Settlement Parties to deal with these Bhongir and other Jagirs.

10. I mentioned to you the idea of a Special Commissioner for the area. On the whole, however, I doubt it being immediately necessary. We have arranged for the Subedar of Medak to remain camped in the District basing himself upon Nakrikal or whatever site is selected as the headquarters of the 2 military units that would be working under Brigadier Chamarette. It will be necessary to delegate to the Subedar certain powers of the President-in-Council under the Defence Rules and also to give him all the powers of District Magistrate and First Taluqdar for taking immediate decisions. The general work of the District is suffering through the Taluqdar having to concentrate upon the disaffected area. It is moreover extremely important also to tour in the areas where there has hitherto been no trouble so as to prevent the trouble spreading by similar enquiries into grievances and by holding rallies of village officers and loyal persons to reassure them and retain their loyalty. Therefore besides this team of HCS probationers and others the Taluqdar will need an Additional Taluqdar, between them they will be able to hold such rallies and make such enquiries both in the disaffected and in the orderly parts of the District. Similarly the DSP is getting a tired man. It will be advisable to have temporary DDG of Police to, look into everything and take over the police control. He also will have his headquarters with the Subedar and the Brigadier at Nakrikal or elsewhere.

11. Some extra police are undoubtedly necessary. For the present the Taluqdar wanted at least 50 extra for each of the 3 taluqs of Jangaon, Suriapet and Hazurnagar, so that he may have men available to go out in armed support of the concerted drive which he feels will have to be made beginning from the end of December for collection of the rice levy. There is practically no *khari* in the affected taluqs, but there has been a good rabi rice crop. I have asked Mr Walsh to work out proposals at once for these extra police, the cost of which will have to be borne by the 3 taluqs unless as an alternative we impose collective fines on the turbulent villages, and Government themselves bear the cost of extra police. There is much however to be said for raising the cost of the police from everyone in the disturbed area, except those loyalists whom the Taluqdar may exempt, roughly apportioning the cost of the police by levying access on the Land revenue. If, however, we can once recover the confidence of the people, it will very soon be unnecessary to have extra troops or police in the area. The Subedar and his officers will have to be instructed to take stern action against village officers and others found guilty of malpractices in connection with Supply work. The Special Tribunal already existing under the Defence Rules for trial of cases of corruption in the Supply Department could summarily criminally deal with such village tyrants if they have embezzled the money given by Government for the payment of levy grain. The Subedar might also be empowered to cancel the *watandari* rights of any village officers who are found in departmental enquiry to have maltreated their villagers by begar and other illegal exactions.

12. The Committee considered the question of whipping people found taking part in unlawful assemblies in resistance of the military and police. But if you once saw the average crowd of prisoners you would realise that they are decent peasants led away by Communist agitators profiting from the fact that their grievances have not been remedied. I would, therefore, not advocate whipping at present at all events.

13. I should like a special discretionary grant placed at the disposal of the Subedar for financing the rallies and the occasions for fraternization of police and troops which I have already suggested. Perhaps he might be given Rs 7,000 for this purpose and be empowered to place money out of this at the disposal of the Taluqdar or the Officer Commanding the troops.

14. We must apprehend the Communist agitators. The villagers are now beginning to help, but their willingness to do so would be much stimulated if assistance could be promptly and generously rewarded. In our meeting we thought it would be desirable to place Rs 10,000 at the disposal of the Taluqdar for this purpose; he will make over part of this to the DSP.

15. Another clear lesson of what has happened is the need for a staff of propagandists and for effective Government propaganda in this and every other district. We need to get out thousands of Telugu leaflets explaining e.g. the levy and other rules and dealing with Government's attitude towards this agitation and reminding the people that they can get their grievances remedied by going to Government officers. Many of these prisoners are *Mala* or *Madiga* by caste, and we could get help from the Scheduled Castes' and Depressed Classes' associations in Secunderabad in contacting them. I do not think Christian propagandists are necessary for dealing with the many Christian *mohallas* in the locality, but it would pay the DOs to keep close contact with the missionaries and their Pantulus. In the past we have always had useful information and loyal support from all Christian communities, and I still think that the police were mistaken in arresting a number of Christians in these villages. There was some scheme in force during the war, for which Nawab Mahmud Yar lung was then responsible, for organizing Government propaganda in rural areas. The Revenue Secretariat has been asked to look into this again and submit proposals. But I am afraid generally speaking that this absence in Nalgonda District (as in other districts) of all effective means of enlightening the peasantry as to Government's policies and measures is only another example of the inadequacy of all the methods of our Information Department. I hope that the departmental reorganization scheme can now be rapidly implemented.

W.V. Grigson,
Revenue and Police Member,
5 December 1946

¹ Though written in 1946, this report of the Revenue and Police Member, Hyderabad, throws light on the state of the famed Communist-led Telangana movement in 1945.

26. Hyderabad State CID's Note, Dated 1 February 1947 on the Situation in Nalgonda District¹

Proceedings of Ministry of State, GOI, File No. 15P (S) 1947, NAI.

Public attention has been focused for some time past on the disturbed conditions in Nalgonda District. This state of affairs has been brought about by the unlawful activities of the Nizam State Andhra Mahasabha (otherwise known as the Andhra Communist Party) which, under the leadership of Ravi Narayan Reddy, a top-ranking Communist and a contact of the Communist Party of India since 1940, gradually drifted towards Communism and by 1945 became a full-fledged Communist

organization working in close collaboration with the Hyderabad Communist Party and carrying out Communist policies and programmes on the Kisan Front. In carrying out the task of spreading Communist influence among the Kisans in the Telingana area of these Dominions, the Nizam State Andhra Mahasabha has, from the outset, been influenced and guided by the Provincial Branch of the CPI at Bezwada whose leading figures, P. Sundrayya, Kambampatti Satyanarayana, Vavilala Gopalakrishnayya and C. Rajeshwar Rao, frequently attended party meetings and encouraged its activities on typical communist lines with all the paraphernalia of Kisan Marches, Cattle shows and 'Burra Kathas'.

During the last two and a half years the Nizam State Andhra Mahasabha has specialized in agitation against Deshmukhs, Wetandars and Zamindars. Since December 1945 it has indulged in a most dangerous campaign of vilification of Government officials, particularly the Police. Throughout this period the agitation has been supported by the 'Praja Shakti', a Telugu organ of the CPI published from Bezwada, to which both Nizam State and Bezwada Communists regularly contribute grossly exaggerated and malicious articles directed against the State Government.

The genesis of this agitation is to be traced as far back as December 1944 when R. Narayan Reddy, the President of the Andhra Mahasabha, chose villages under PS Vishnur, Jangaon Taluk, Nalgonda District, for launching a vigorous campaign against Deshmukhs and Wetandars. He presided over no less than 12 open air public meetings held in different villages in contravention of the Public Meetings Rules between the short period of 8 and 13 December 1944. Besides the president, all these meetings were addressed by leading Communists of the Andhra Communist Party consisting of Devalpalli Venkateshwar Rao, Arutla Ramchandra Reddy and V. Alwaruswamy. The fact that rack-renting has undoubtedly been resorted to by Deshmukhs and village Patels served to embitter the tenants against their Landlords and made them lend a receptive ear to insidious Communist propaganda. This propaganda created a tense atmosphere resulting in the commission of offences of which four were registered. One of these offences occurred on 1-1-45 in village Mundrai where a big Zamindar had already persuaded some of his Lambade Qauldars to accept certain plots of land in exchange for some others. But, at the instigation of the Communist workers, the Lambadas demanded return of their original lands. While a Case under Section 104 Asafia Criminal Procedure Code was pending in Court against the Lambadas in this connection, 22 armed Lambadas accompanied by a crowd of about 300 persons including D. Venkateshwar Rao, President of the District Andhra Mahasabha, Nalgonda, Arutla Ramchandra Reddy, Secretary, and Manohar Rao, forcibly prevented the Zamindar's servants from ploughing the land and stopped the flow of water from the tank. The three leading Communists were arrested under Sections 123/371 APC.

Then the Communists started the second phase of their activity which was to start an agitation against subordinate Revenue and Police officials. They aimed at magnifying minor irregularities of officials and carrying on a large scale propaganda against them by means of vehement speeches and 'Burra Kathas'² holding Government servants up to contempt and ridicule with a view to undermine the traditional respect of the villagers for the officials.

In December 1945 complaints were made against the Town Sub-Inspector of Nalgonda that he had beaten Communist workers and instituted false cases. The Communist workers involved in these incidents were Marhar Rao, Elmandu, Ramkishtiah and Avula Pichiah. The incidents related to an attack on a Police Constable, assault on a Reddy of Pangal. The Deputy Director-General, CID, who was specially deputed to look into these allegations visited Nalgonda and made a searching inquiry into these incidents. No evidence was produced before him by R. Narayan Reddy who was then at Nalgonda to corroborate the false allegations which he had irresponsibly publicized on 15 December 1945. The accused though on bail made no complaint about being

beaten to the local officials. Nor did they voice their grievance at the time they were produced before the Magistrate. The evidence in each case appeared fully sufficient to justify prosecution. At least four separate cases were run against Communists in this connection and all except one of them were convicted. In none of these cases, the motive of the Police was found questionable in the judicial trial. There was no doubt that the result of these cases came as great disappointment to the Communists who had given considerable publicity to the allegations in the press. After this complaints of looting and rape were made against the Police at Aknoor and at Motakudur. The Aknoor case is at present under enquiry by a Special Commission. A communique issued by Government disproving the wild and malicious attacks on the Police resulted in a rejoinder on 23 December 1945 by R. Narayan Reddy, who criticized the communique as misrepresenting facts and repeated the story of police terrorist acts and oppression. He was therefore run in under Section 29 PSA for spreading false and malicious rumours against Government officials. Three of the most violent agitators of Nalgonda District were also interned on 31 January 1946 in their native villages under Rule 25 DHR.

Enraged at the prompt action taken by the Police, the Andhra Mahasabha intensified its press campaign against the Police. On 3 March 1946, R. Narayan Reddy issued another lengthy statement to the press giving an exaggerated account of police atrocities in Palvakurti. Most of the allegations made were proved to be utterly false. In February 1946 villagers of Palvakurti with Communist leanings fell out with the servants of the Deshmukh of Vishnur over a petty dispute. The Communists caught hold of Vanmala Venkayya and took him before Arutla Ramchandra Reddy where he was belaboured as being the Deshmukh's man. Two Constables and one Head Constable who arrived on the spot were also assaulted. A different kind of Punishment was meted out to the other servant of the Deshmukh, his crops being harvested and taken away by Communist villagers. Six of the leading men were arrested while in the act of reaping the harvest.

A part of the statement issued by R. Narayan Reddy deals with allegations against the Reserve Police posted at Palvakurti. The posting of this extra Police to Palvakurti was necessitated by the difficulty which was being experienced by the Zone Officer of Vishnur Circle in collecting levy grain. Armed mobs were preventing him from carrying away hoarded grain.

Side by side with circulating these stories of alleged atrocity, the Communists concentrated their attention on training the peasants for a mass revolt and engendering in them a spirit of violence and defiance of authority. Villagers who failed to toe the line with the Communists were beaten into submission in many cases. A spate of meetings were held and red flag demonstrations staged to attract villagers and to incite them to acts of lawlessness. Attempts were made to establish a parallel government in certain villages. Courts were set up at which fines were imposed on persons who refused to behave according to Communist dictates. Deshmukhs were boycotted; cultivation was stopped in some places and forcibly carried out in others. Armed mobs of villagers under Communist influence had on several occasions collected and adopted a threatening attitude against Deshmukhs and parties of police sent to carry out their lawful duties....

¹ This Note by the Hyderabad State CID of 1947 gives a glimpse of the Communist-led Telangana movement till the end of the 1945.

² Bardic performances through songs, dances and political commentaries.

Chapter 9. Court Martial Documents

SECTION I TESTIMONIES AGAINST

Summary of Evidences in the Case of (1) IC 58 Capt. Shah Nawaz Khan 1/14 PR (2) IC 226 Capt. P.K. Sahgal 2/10 Baluch Regt (3) IC 336 Lieut G.S. Dhillon 1/14 PR All attached CSDIC (1), Delhi Fort.

PW 1—No. 12259 IO Subedar Major Baboo Ram, 1/14 PR (Hindu), states¹

On the outbreak of hostilities with the Japanese, I was the Subedar Major of, and serving with, 1/14 Punjab Regt, in Malaya. The Bn was in action at Tanjong Paur and Jitra and retreated to Singapore where we were taken PW by the Japanese on 15th February 1942, when Singapore was surrendered. 1/14 PR and 1/15 PR were combined on 31st January 1942, both having sustained casualties.

On the evening of 15th February 1942, our arms were collected at Ilkari gardens and taken away by the Japanese. About 1930 hrs that evening the combined Bns were taken to Bidadari Camp nearby under Capt. M.Z. Kiani, our Senior Indian Officer and 2 i/c. of the combined Bns. The British Officers remained behind. When we arrived at Bidadari, there were many other Indian PW there, but I do not know which units were there or how many.

On 16th February 1942 the PW at Bidadari marched to Farrer Park in Singapore. 1/14 PR and 5/14 PR marched under Capt. M.Z. Kiani and we arrived about 0930 hrs. There were about 10–1200 PW assembled there, all Indian PW. Farrer Park is a large open space and at one-side there was a two storey-building with a verandah. When the PW were assembled some officers came out on the verandah of the two storey-building. There was a loudspeaker installed. The officers were Lt Col Hunt (a British Officer) 2 Major Fujiwara (a Jap. Officer), Capt. Mohan Singh of my own Bn 1/14 PR, whom I know well, Capt. Jahangir Khan, 1 Bahawalpur Inf., Jem. Sadhu Singh of my Bn Sub. Shingara Singh of 5/14 PR and 3 or 4 others whom I do not know. There were also two other Japs whom I do not know. The Indian Officers were dressed in their Indian Army Uniform and some of them were wearing an armband inscribed with the letter 'F'. I saw Capt. Mohan Singh, Capt. Jahangir, Sub. Shingara Singh, Jam. Sadhu Singh wearing this armband. I did not know what this armband signified at the time, but some 15/20 days later in Neesoon Camp, I learned from conversation with Sub. Shingara Singh and Jam. Sadhu Singh that the 'F' armband showed membership of the 'Fujiwara Kikan' a Japanese *5th Column Organisation* under the command of Major Fujiwara.

Lt Col Hunt called the parade to attention and addressed us through the loud-speaker. He then handed some papers to Major Fujiwara and left. Major Fujiwara then spoke to us after which Capt. Mohan Singh addressed us all through the loud-speaker. He said, 'We are going to form an Indian National Army and we are going to fight for the independence of India. You must all join.' He went on to say that the Indian Army had not fought well in Malaya, but we all knew that the army was short of weapons, tanks and aeroplanes. He asked whose fault was that and said that it was the fault of the British.

After this a Jap. spoke and then Capt. Jahangir announced that all officers present were to come up to the verandah. About 100 officers went forward, but I did not see what happened to them then, as I, with the other PW, all sat down and commenced to converse with each other and the meeting ended. After Capt. Mohan Singh had made this announcement the majority of the PW shouted out in acclamation of his proposal.

We remained at Farrer Park overnight and the following morning the PW marched off to various camps. 1/14 PR and 5/14 PR marched to Neesoon Camp about 9/10 miles away.

Three or 4 days later all the PW in Neesoon Camp were paraded and we were addressed first by Major Fujiwara and then by Capt. Mohan Singh who said that our march discipline was bad and that it must improve if we were going to fight for our freedom. The following were present with Capt. Mohan Singh: Capt. Mohammad Akram of my Bn Sub. Shingara Singh and Jam. Sadhu Singh and they were all wearing 'F' armbands.

Thereafter almost every day Sub. Shingara Singh, Jam. Sadhu Singh and Jam. Fazal Dad, 5/14 PR visited the PW in Neesoon Camp and talked about the movement to individual PW or to small groups. They urged PW to join the INA.

About the end of February 1942, Lt G.S. Dhillon, 1/14 PR, whom I recognise as one of the accused, lectured to 1/14 PR and 5/14 PR PW who were assembled for the purpose. I was present. Lt G.S. Dhillon was alone and he said that the Japs were helping us and that we should join the INA to fight for the freedom of India. Lt G.S. Dhillon was serving in the Bn in Malaya, during operations but he left the Bn in Ipoh in December 1941 to go into hospital. He was staying in Neesoon Camp after the fall of Singapore.

In March 1942, Capt. Shah Nawaz Khan, 1/14 PR whom I recognise as one of the accused, who was then Comdt of Neesoon P. Camp addressed some 200/300 Officers, VCOs and NCOs, all PW who were gathered together for the purpose on the second floor of a three storey-building in Neesoon Camp. He was alone at the time and said that a conference had been held in Capt. Mohan Singh's HQ at which four resolutions has been passed. The first two of these were 'that all of us were Indian despite our different religions' and 'we must all fight for the freedom of India'. I do not recall what the actual other two resolutions were, but they concerned the INA and the fighting for the independence of India. Capt. Shah Nawaz Khan then instructed us to explain to the PW about the resolutions and we did so. He had joined my Bn in 1936 or 1937, but was not present with the Bn in the fighting against the Japs in Northern Malaya. He had arrived in Singapore later as a reinforcement and he became 'b' Coy Comdr when 1/14 PR and 5/14 PR were combined on 31st January 1942.

About 10/15 days after Capt. Shah Nawaz Khan had spoken to us about the four resolutions the same audience was assembled in the same place and a lecture party arrived consisting of Capt. Shah Nawaz Khan, Lt Col A. Loganathan, IMS, Lt Col Chatterjee, IMS, Sub. Shingara Singh, Jam. Sadhu Singh and some others whose names I do not recall. Capt. Shah Nawaz Khan addressed us and said that he had become a member of the INA and that we all should also join. He also said that the choice remained with every man for himself and that only those who were

willing should join. He did not threaten us in any way. He also instructed us to inform our men and to prepare lists of volunteers for the INA to be handed into the Camp Office the next day.

In June 1942, Capt. M.Z. Kiani gave me instructions to attend a Conference to be held in Bangkok, as the representative of the Dogras. I had to go despite the fact that I pleaded that I did not know the English language. I attended the Conference that month and it lasted for 4 days. Some 100 delegates attended, 30 of which were Military personnel, whether officers or VCOs, and the remainder were Civilians. The following were amongst the Military Officers present:

Capt. Mohan Singh
 Lt Col Chatterjee
 Lt Col Loganathan
 Lt Col Gilani (1 Bahawalpur Infy)
 Major Aziz Ahmad Khan (Kapurthala Infy)
 Capt. Jahangir Khan (1 Bahawalpur Infy)
 Major Raju, IMS
 Capt. Patnaik, IMS
 Capt. Malik Fateh Khan
 Lt Col Parkash Chand, RIASC

and others. The President was Rash Behari Bose, an Indian Civilian (who had come from Japan).

On the first day of the Conference ambassadors from Japan, Germany and Italy were present and also the Prime Minister of Thailand, but I do not recall his name. Before the beginning of Conference Capt. Mohan Singh instructed the Military representatives not to criticise anything, but to agree to everything. The following resolutions were passed at the Conference:

- (a) that an Indian National Army would be formed from Military and Civilian Indians in the Far East;
- (b) that this INA would be formed under the command of Capt. Mohan Singh;
- (c) that the INA would fight for the freedom of India;
- (d) that the Indian Independence League would provide the INA with recruits, money, rations and clothes;
- (e) that the Japanese Govt would provide the necessary arms and ammo.; and
- (f) that when India was conquered the price of the arms and ammo. would be paid to the Japanese.

A Council of Action was also formed consisting of Rash Behari Bose as President.

Capt. Mohan Singh	Military Members
Lt Col Gilani	
Raghavan and	Civilian Members
Menon	

After the Conference Capt. Mohan Singh collected the military delegates together and said that when we returned to Singapore Capt. Jahangir would lecture in all the PW Camps about the Conference and we should answer any question which we might be asked about it.

I returned to Bidadari Camp in Singapore, where my HQ had been transferred from Neesoon. The Camp Comdr was Major Aziz Ahmad Khan (Kapurthala Infy).

When Capt. Shah Nawaz Khan had asked for lists of volunteers for the INA at his second lecture, which I have submitted and in which I described some 250 PW of 1/14 PR did not become volunteers, and a few days later these men were removed to the civil aerodrome. Capt. Mohan Singh complained to me that these men had not volunteered and he also told me

that if any one stood in his way he would do away with them. The 250 men consisted of PWs Pathans and Dogras.

After the Bangkok Conference lists of volunteers had to be made out in Bidadari and each volunteer had to write his name on the list. I put mine down on the list. This happened about the end of June or the beginning of July 1942. Another 45 PW of 1/14 PR did not put their names down and these were sent off to the civil aerodrome for fatigues. Volunteers in Bidadari had light fatigues and rations were sufficient.

The INA came into being officially on 1st September 1942 consisting of the following units:

1. Hind Field Force Group:
 1. Inf. Bn composed of men of 1/14 PR
 2. " " " " 3/17 Dogra Regt
 3. " " " " 1 or 2/18 Garh. Regt
 - Bty. of 25 padrs. " " Indian Art
 - Sig. Copy. " " Indi. Sig. Corps
 - AFV Bn " " " Armoured Corps
 2. Gandhi Guerrilla Bde
 3. Azad " "
 4. Nehru " "
 5. 'SS' Group (for propaganda work)
 6. Intelligence Group
 7. Reinforcement Group
-

Exhibit 'A'

I produce 'Special Order' No. 1, dated 1st September 1942, by Capt. Mohan Singh, GOC, INA (Exhibit 'A'). It is signed by M.Z. Kiani, whose signature I recognised and with which I am familiar. It shows the promotions to the rank of 2/Lt in the INA as from 1st September 1942, in respect of the following:

- Capt. Shah Nawaz Khan, 1/14 PR (14 name)
- Capt. P.K. Sahgal, 2/10 Baluch (28 name)
- Capt. Gurbakhsh Singh Dhillon, 1/14 Punjab (32 name)
- Sub-Major Baboo Ram, 1/14 Punjab (57 name)

Exhibit 'B'

I produce another 'Special Order' No. 4, dated 9th September 1942, of Capt. Mohan Singh's. It is also signed by M.Z. Kiani, whose signature I recognise. It shows the following promotions:

- 2/Lt Shah Nawaz Khan to be Major w.e.f. 10th September 1942 (at para 2)
- 2/Lt P.K. Sahgal and G.S. Dhillon to Capts. w.e.f. 19th September 1942 (at para 3), and likewise 2/Lt Baboo Ram.

Exhibit 'C'

I produce another order of Capt. Mohan Singh, signed by M.Z. Kiani, whose signature I recognise 'Special Order No. 12'.

It shows the following promotions:

- Major Shah Nawaz Khan, HQ INA to be Lt Col w.e.f. 15th October 1942.

Capt. P.K. Sahgal, HQ 1 Hind Field. Force Group to be Major w.e.f. 15th October 1942 and Capt. Gurbaksh Singh Dhillon, Reinforcements to be Major w.e.f. 15th October 1942.

I was posted in September 1942 to the Hind Field Force Group as OC 1 Infty Bn Comdt of the Group was Lt Col J.K. Bhonsle (of the Gharwal) and his 2 i/c was Capt. S.M. Hussain (4/19 Hybad). Training was then commenced in Bidadari consisting of PT, Squad drill, arms drill, and route marches. The weapons we trained with were rifles, lewis guns, Vickers G. and 3" mortars. These weapons were British, taken by the Japs on the fall of Singapore. Words of command were given in Hindustani. Indian Army uniform was worn and INA badges of rank in addition.

I recognise Capt. P.K. Sahgal, 2/10 Baluch Regt as one of the accused, and first saw him in the beginning of September 1942 in Bidadari Camp. He was the adjutant to the Hind Field Force Group. He remained in Bidadari doing the work of Adjutant until the dissolution of the INA in December 1942. He used to inspect training in the Bns. At weekly Conference Capt. P.K. Sahgal used to give our orders. At this time Capt. P.K. Sahgal was wearing his INA badges of rank.

In November 1942 an advance party of INA consisting of men from all the INA units was dispatched to Burma.

About the middle of December 1942 our training stopped and as the result of trouble between the INA and the Japs. Capt. Mohan Singh was arrested on 28th December 1942 whereupon the INA broke up on his direction. All INA badges, documents, etc. were destroyed and we became ordinary PW again.

About 15/20 days later an Administrative Committee was formed, which at first was concerned with the administrative needs of the PW. It consisted of Lt Col J.K. Bhonsle, President Lt Col A.D. Loganathan, Lt Col Chatterjee, Major Aziz Ahmad Khan and several others. Then a period of propaganda lectures commenced under the arrangements of the Administrative Committee. I was in Bidadari Camp and the 1st lecture was by Rash Behari Bose, who said 'why are you officers wearing Indian Army badges of rank, when the INA is still in existence?' 'Who has broken up the INA not Capt. Mohan Singh—the INA did not belong to him.' He tried to convince all those present that the INA was still in existence and that they should remain in the INA.

About the end of January 1943 a meeting was held in the INA HQ at Bidadari at which the old INA officers were addressed. The lecture party consisted of the Administrative Committee and Lt Col Loganathan spoke. I was present. There were altogether about 60/70 officers there. He said that the INA had perhaps been disbanded through the mistakes of Capt. Mohan Singh, but that we must unite together in the movement and fight for the freedom of India.

I together with other Dogra officers and NCOs refused to join the new INA and we were removed from Bidadari about 15th February 1943. We were taken to the Police Lines in Johore Baru arriving about 21st February 1943. There were about 100 non-volunteers. We remained there for about a month. During this month INA officers visited us and tried to persuade us to join the INA. Amongst those, who came to visit us were Lt Col Loganathan, Lt Col Chatterjee, Capt. Shah Nawaz Khan, Capt. P.K. Sahgal and Lt G.S. Dhillon, but I did not hear any of the three accused try to persuade the non-volunteers to join the INA. The three accused were all wearing their INA badges of rank. Capt. Shah Nawaz Khan was an INA Lt Col and as far as I remember the other two were INA Majors.

About the end of March 1943, we non-volunteers were transferred to Seletar Camp in Singapore. About 20/25 PW had volunteered for the INA during the period we remained in the Police Line. We stayed in Seletar Camp, which was for non-volunteers, and were dispatched to New Guinea on 5th May 1943 by the Japs. I remained in New Guinea for about a year, when I escaped and reported to American forces. We suffered a great deal in New Guinea.

Capt. P.K. Sahgal remained in Bidadari Camp after the break of the INA in December 1942 until I was transferred to Johore Baru in February 1943. He worked as the Camp Adjutant and wore the INA badges of rank of Major. The whole of the HQ of the Hind Field Force Group retained their INA badges of rank. The rest of the PW had discarded their INA badges on the dissolution of the INA.

In Neesoon Camp about the end of February 1942 or the beginning of March 1942 Lt G.S. Dhillon told me that he had to take a guard of 60 men to guard the British PW at Changi. He told me he would select some of the men himself. He took the men and went. I next saw him in Bidadari Camp after the disbandment of the INA in December 1942. He was AQMG in the INA HQ at Bidadari. In January 1943, I saw him present as one of the lecturing party when a Jap. Officer Iwakkru and Rash Behari Bose addressed us in the Cinema Hall in Bidadari Camp. On that occasion he was wearing his INA badges of rank of Major. After this lecture Lt G.S. Dhillon came to our mess and said he wanted to talk to us. He said all officers should unite and join the INA. I and Sub. Chanan Singh of the Bn told him that if he had come to speak as he was doing he could clear out at once. He went. He was angry.

While we were in the Police Lines at Johore Baru, Lt G.S. Dhillon came and collected one set of clothing from all the PW there. He was accompanied by a QM and one or two others, but was the Senior Officer present as an INA Major. He said that as we were not in the INA we could not retain the clothing.

A few days before we left Seletar Camp for New Guinea, Lt G.S. Dhillon came with Capt. Jahangir and they took away our cooking utensils, haversacks and water-bottles.

Cross-examination by Capt. Shah Nawaz Khan:

Q.1. When I was transferred from Neesoon Camp a few days before the Bangkok Conference, was there not a protest put up to Capt. Mohan Singh by some 30 officers in the camp against the injustice of my being sent away?

A.1. I do not know.

Q.2. When Capt. Mohan Singh addressed all the PW (either volunteers or non-volunteers collected from the various camps in Singapore) at Selëtar just before the Bangkok Conference, did he not refer to a 'party within his party which was seeking to break up the movement'?

A.2. I was present at the lecture, but I do not remember Capt. Mohan saying that.

Q.3. What did Col Iwakuru say when he addressed all the officers of Capt. Mohan Singh's INA at Hind Field Force Group HQ in Bidadari about the end of January or the beginning of February 1943?

A.3. He said that those who left the INA would be sent to the S.W. Pacific and that very few would ever return to India.

Q.4. Do you know that a number of non-volunteers from 1/14 PR were dispatched to Timor and returned to Singapore about the end of 1943 with the news that half their number had not survived; and those who returned were more dead than alive?

A.4. I do not know or learn this.

Q.5. Can you tell something of the actual treatment you received in New Guinea and the Solamans?

A.5. There were some 4000 non-volunteers PW dispatched in the beginning of May 1943. I was in a party of 547 and when I escaped with 27 others we left some 300 men behind. The balance of 200 had not survived and died of sickness, hunger, bombardment from the air or Jap. brutality. The 300 left behind were not in a position to live much longer. I

know another party of 600 escaped out of the 4000 and I think the chances of survival of those remaining behind are remote. Capt. Nepal Chand, 6/14 PR, was one of the PW dispatched along with me and he was killed by the Japs for trying to communicate with the British.

Cross-examination by P.K. Sahgal:

Q.6. When you were commanding No. 1 Infy Bn in the Hind Field Force Group who was incharge of training for the Group?

A.6. Capt. S.M. Hussain, 4/19 Hybad, the 2 i/c of the Group was incharge and issued the training programmes.

Q.7. How many times did you see me visit non-volunteers in the police lines at Johore Bahru?

A.7. I only saw you on one occasion there and at that time Capt. Shah Nawaz and Lt G.S. Dhillon were present too.

Q.8. What badges of rank were you wearing before the INA came into being on 1st September 1942?

A.8. I put up the badges of rank of an Indian Army Lt. Just before the Bangkok conference, Capt. Mohan Singh ordered me to do so, but I do not know why. The VCO delegates for Bangkok put up Lt or Capt. badges. I retained my Lt's badges thereafter.

Cross-examination by Lt G.S. Dhillon declined.

Baby Ram

Recorded 6, 7, and 8 August 1945

¹ The abbreviations stand for PW = Prisoners of War; PR = Punjab Regiment; Bn and Bns = Battalions; Infy = Infantry; Sub. = Subedar; Jem. = Jemadar; Coy = Company; Ammo. = ammunition; Bde = Brigade; OC = Officer-in-charge; Regt = Regiment; Capt. = Captain; IO = Indian Officer; Lt Col = Lieutenant Colonel; Comdr = Commander; INA = Indian National Army; HQ = Headquarters CSDIC **; QM = **; AQM = **; VCO = **

PW 2—No. ICRO 191 Lt D.C. Nag, AIRO, (Hindu) States

I am 49 years of age and I am a native of Bengal. I graduated as a BA in April 1918 and in August 1920 I was admitted to the Bengal Junior Civil Service. In 1934/35 I was appointed Magistrate (1st Class). In February 1938, I was granted a commission in the AIRO and February 1941 was called upon to report for active service. At that time I was a 1st Class Magistrate at Rajshahi. On 1st March 1941 I reported for service at 3 MRC at Aurangabad and we arrived at Singapore on 27th March 1941. I was with my Unit at Penang on the outbreak of the Japanese war on 8th December 1941 and we eventually retired to Singapore. I was in hospital there on 15th February 1942 and became PW of the Japs on the surrender of the city. I was discharged from a Hospital in Neesoon Camp about a month later and I remained in that Camp. There were several thousands Indian Army PW there. I came to know that there was a movement afoot in the camp to form an Indian National Army whose object was to gain the independence of India by fighting the British. Various lectures were given to the PW in the camp by either Indian Army Officers or Jap. Notices were circulated in the camp intimating that some officer would speak and that all officers would attend. I did not attend the lecture myself because I was suffering from deficiencies in diet, piles and deafness due to bomb blast. In August 1942, I attended a lecture given by Lt Col Chatterjee, IMS, at which he urged us to become members of the INA.

Sometime in August 1942 Capt. Mohan Singh, 1/14 PR, came to Neesoon Camp. I saw him just as he was leaving Camp. He was accompanied by several officers including the Capt. Shah

Nawaz Khan, 1/14 PR, whom I recognise as one of the accused. I was introduced to Capt. Mohan Singh by Lt Bishan Singh, 3/16 PR, the Camp Comdt Capt. Mohan Singh enquired as to my antecedents and particulars and on learning that I was a Magistrate he said 'that's the very sort of man I want' and he informed Lt Bishan Singh that I should report to his office in Bidadari that day for an interview. I understood that he required me for the Legal Dept of the INA. I went to his office at the HQ of the INA that day in Bidadari, but I was unable to see him. I tried to see him later, but he was too busy and in the meantime I was informed verbally by Capt. Habib-ur-Rahman, 1/14 PR, and Capt. Dilsukhman, 4/19 Hybad that I was appointed the JAG in the INA and to proceed with the preparation of the INA Act. Capt. Habib-ur-Rahman was a Major in the INA and was i/c Administration. Capt. Dilsukhman was an INA Lt Col and the AQ. I was assisted by Capt. Mathur, 5/2 PR.

I see Exhibit 'A' and I recognise the signature of M.Z. Kiani. I am familiar with it. This order shows my promotion to 2/Lt in the INA as from 1 September 1942. M.Z. Kiani was a Capt. in 1/14 PR and was the Chief of General Staff at INA HQ at Bidadari.

I see Exhibit 'B' which is also signed by M.Z. Kiani, whose signature I identify. This order shows my promotion to Capt. w.e.f. 10 September 1942.

The INA came into existence officially on 1 September 1942. It was a military formation and its object was to fight the British in collaboration with the Japs to gain independence for India and free it from British rule. Its organisation was as follows:

1. Hind Field Force Group (an Infy Regt)
2. Three Guerilla, Regts, viz., Gandhi, Azad and Nehru. Each Regt had 3 Bns and each Bn had 3 Coys. The function of the Guerrilla Regts was guerrilla warfare as their name implies.
3. The 'SS' or Special Service Group, which afterwards became known as the Bahadur Group. The function of this group was sabotage, espionage and infiltration.
4. The Intelligence Group whose function was chiefly the collection of front-line intelligence.
5. The Reinforcement Group whose function was to hold up posted personnel of the INA and supply men as required. Later it assumed the function of taking over newly captured PW of the Indian Army during operations in Burma with a view to winning these over and their dispatch to INA Units.
6. In AF V Bn consisting of a few armoured cars and carriers and there were ancillary Units.

At the beginning, on 1st September 1942, the strength of the INA was about 10000, all PW of the Indian Army and the strength arose to about 15000 men until Capt. Mohan Singh's arrest in December 1942. The INA were armed with rifles, bayonets, a few LMGs and officers had pistols. There were arms for about half the INA at this time. These weapons were the arms taken by the Japs on the fall of Singapore, from the British. We wore Indian Army uniform, but in addition INA badges of rank.

I produce the following types of INA badges:

A circular shaped armband with crossed Congress flags (Exhibit 'D'). This was worn by every member of the INA in Capt. Mohan Singh's time. This sample is of an officer's and other ranks wore an inferior band.

A pair of triangular shaped collar badges with Congress colours (Exhibit 'E').

Exhibit 'F'

A brass cap. Badge, which was worn during the second INA with motto 'Unity, Faith and Sacrifice' (Exhibit 'F').

Exhibit 'G'

A pair of shoulder titles of the INA rank of 2/Lt (one blue stripe) (Exhibit 'G').

Exhibit 'H'

A pair of shoulder titles of the INA rank of Colonel (three golden stripes and an emblem representing 'Sudarsan Chakra' (Exhibit 'H').

Exhibit 'I'

A pair of shoulder tiles of the INA, rank of Major General (as worn in the second INA). (Exhibit 'I').

Exhibit 'J'

And an INA badge, a small round metal disc with the Congress colours, the party badge, and this was worn by all ranks in the second INA (Exhibit 'J').

As JAG I was incharge of the legal side of the INA and my first job was to draft the INA Act. Before commencing the job I proposed that the Indian Army Act be used as a guide and Habib-ur-Rahman and Dilsukhman agreed to this, but instructed me to incorporate a provision for whipping as an additional punishment. They stated that flogging was necessary in the interest of discipline which was not then satisfactory. This punishment was to be limited to NCOs and Sepoys. I realised the seriousness of this departure from the Indian Army Act, but my objections were overruled on the grounds that the Senior Officers of the INA thought that flogging was necessary to maintain discipline. I and my assistant Capt. Mathur drafted the INA Act and I produce a copy as finally issued Exhibit K. The clause which gives power to flog is Sec. 55. A copy was issued to all Units in the INA. I and Capt. Mathur suggested that the limit be 15 strokes at no more than 5 a week, but we were instructed to increase the limit to 24 strokes at 6 per week. These figures were incorporated in the 1st INA Act and this punishment was only to be imposed by Court Martial.

In June 1943 after the new INA was formed under Lt Col Bhonsle, the Director of the Military Bureau, I was instructed to draw an amendment which I did extending the power to flog to the Army Commander (who was then Capt. M.Z. Kiani, 1/14 PR) and to the DKS. I produce a copy of this amendment Exhibit 'K.1'.

In August/September 1944, a Conference was held at HQ Supreme Command in Rangoon which I attended. The following attended:

Lt Col Habib-ur-Rahman (Assistant Chief of Staff).

Major K.P. Thimmaya (2/10 Baluch Regt Comdr Reinforcement group).

Capt. P.K. Sahgal (2/10 Baluch Regt) (Military Secretary to the INA) whom I now recognise as one of the accused.

Capt. S.M. Hussain, 4/19 Hybad (Comdr or I Infty Regt).

It was decided to increase the strokes to 45 or 50 and not more than 6 per week and the powers to be given to Divisional Regimental and Bn Comrs.

Lt Col Habib-ur-Rahman who called the meeting explained that he had received reports that discipline was bad in the field and that cases of desertion were occurring and that measures must be taken to stop this. He suggested that the power of flogging be extended to Junior Comdrs in the

field. This was discussed and we all agreed to extend this power and to increase the number of strokes. I framed an amendment accordingly which was incorporated in the INA Act. I have no copy of this amendment.

During Capt. Mohan Singh's INA, he operated under a 'Council of Action' composed of:

Rash Behari Bose, President (an Indian Civil subject)	
Capt. Mohan Singh	
Lt Col Bhonsle	3 Military Members
Lt Col Gilani (1 Bahawalpur Infy)	
and	
Menon	
Raghavan	3 Civilian Members
Goho	

Upon the formation of the INA the units which I have already described commenced organised Military training in Singapore and at a training centre at Penang.

Some of the PW who did not volunteer for the INA were taken to a Concentration Camp at Bidadari. The DPM was first Major Aziz Ahmad Khan (Kapurthala Infy) and later Capt. Abdul Rashid (1/14 PR) The camp was run by 3 VCOs Sub. Shingara Singh, Jem. Sadhu Singh and Jem. Fateh Khan, under the DPM. As the result of maltreatment, some PW did become members of the INA.

In November 1942 an advance party of the INA was sent to Burma to prepare for operations. It contained detachments and representatives from all the Units in the INA except the Hind Field Force Group. This party was under the command of Capt. Habib-ur-Rahman.

In December 1942 Capt. Mohan Singh was put under arrest by the Japs—owing to differences of opinion. The INA was then disbanded and all INA records and badges were destroyed according to instructions left by him. The members of the INA then once again became ordinary PW.

About a week later a Committee of Administration was set up to administer the camps occupied by the ex-INA personnel. This committee was composed of:

Lt Col Bhonsle (Chairman)
Lt Col Loganathan, IMS
Capt. M.Z. Kiani, 1/14 PR
Major Parkash Chand, RIASC

and another officer whose name I cannot recall. The committee then set out to ascertain the views of the old INA as to whether the movement should be continued. Meetings were called of the old INA officers. In January 1943, I attended a meeting at the old INA HQ at Bidadari at which about 50/60 Indian Army Officers were present. The meeting was called under the auspices of the Committee of Administration and the committee members were present. Lt Col Chatterjee, IMS, addressed us and tried to impress upon us the necessity of preserving and remaining in the INA, because the Jap. would not treat us as PW. He also said that Capt. Mohan Singh's incarceration was no reason for the discontinuance of the INA. He advised that we should remain in the INA and fight for the freedom of our country. He spoke thus for about half an hour. Opinions were asked for, but the proposal met with a hostile reception. The majority of officers were unwilling to continue the INA and the meeting broke up.

From then onwards the Committee embarked upon a policy to revive the INA by means of lectures. About the end of January 1943 I attended a large meeting of Officers and VCOs, about 300 in all, in B 1 Camp at Bidadari. Rash Behari Bose addressed us for some 30/45 minutes and urged us to continue in the INA, since its declared object was laudable. A Jap. also addressed the

meeting. Again there was a hostile demonstration and the speaker was heckled by questions. No one wanted to join and the meeting broke up.

About this time officers were asked to fill up a form to declare willingness to join the INA or otherwise. I filled up one of these and stated that I was unwilling to join. I had already tried to hand in a written resignation at the office of the Administrative Committee at Bidadari ex-INA HQ, but this was not accepted. A week or two after filling up the form, I along with some 10/12 other officers were interviewed individually by Rash Behari Bose and he asked me if I still did not wish to join. I persisted in refusing to volunteer as did the others. We were removed the same day to Orchard Road and then to a camp at Johore Baru. We were kept under guard and were not allowed to go out. There were about 30/35 officers there, all non-volunteers. I became very ill there and went into hospital at Bidadari. An order came out that non-volunteers were to be sent to Seletar where there was no hospital or medical facilities. In order to continue receiving medical attention, I decided to volunteer for the INA. I was discharged from hospital about the beginning of May 1943 and I resumed my duties as JAG to the INA. When I resumed these duties an organisation known as the Directorate of the Military Bureau was in existence and governing the INA. It consisted of the following:

Lt Col Bhonsle (Director)

Lt Col Loganathan (Chief Administrator)

Capt. P.K. Sahgal 2/10 Baluch Regt (the accused)

(Military Secretary)

Capt. Abdul Rashid. DPM, Secretary.

Capt. Shah Nawaz Khan, 1/14 PR (the accused)

(Chief of General Staff).

Capt. M.A. Kiani (Army Commander) and various others.

The Operational Units of the new INA were the same as before, viz.:

Unit	Comdr	INA Rank
Hind Field Force Group (now called I Infty Regt)	Capt. S.M. Hussain	Lt Col
Gandhi Gl Regt	Capt. M.Z. Kiani	Lt Col
Azad Gl Regt	Capt. Gulzara Singh	Lt Col
Nehru Gl Regt	Major Aziz Ahmad Khan	Lt Col
Int. Gp	Capt. S.A. Malik	Lt Col
Bahadur Group	Capt. Burhar-ud-din	Lt Col
Reinforcement Group	Major K.P. Thimmaya	Major

I knew these officers personally and came into contact with them in the course of my duties as JAG. They all wore their INA badges of rank and all their Units were under Military training.

Exhibit 'L'

I produce order No. 'A/4' issued by the Military Bureau, dated 17th April 1943, (Exhibit 'L'). It is signed by Capt. P.K. Sahgal, 2/10 Baluch Regt as Military Secretary. I identify his signature with which I am familiar. This order shows:

(a) Serial No. 9 (2) and annexures—the framework of the INA under the Military Bureau and the officers holding the various appointments.

(b) Annexure (a) shows Lt Col Shah Nawaz Khan as CGS and Major P.K. Sahgal as Military Secretary.

and (c) Annexure (b) shows Major G.S. Dhillon as DQMG in 'Q' Br.

Exhibit 'M'

I produce the order Part ('A'—Military Secretary's Branch, dated the 30th November 1942), (Exhibit 'M'). It is signed by Lt Col N.S. Bhagat (a Major in RBS & M.) who was the Military Secretary, when the INA was first formed. I identify his signature and I am familiar with it. Serial Nos 58 and 59 show Lt Col Shah Nawaz Khan, Reinforcement Group, appointed OC Cadets Trg. School w.e.f. 26th November 1942 and his transfer.

Exhibit 'N'

I produce an 'order No. A/3—Military Bureau Gazette, dated 10th April 1943', (Exhibit 'N'). It is signed by Capt. P.K. Sahgal whose signature I recognise. It shows at serial No. 7 his posting in the rank of INA Major from HQ I Hind Field Force Group to DMB's office w.e.f. 26th February 1943. (It also shows the posting of Lt Col Shah Nawaz Khan from Reinforcement Group to DMB's Office).

In July 1943, Subhas Chandra Bose arrived in Singapore from Japan. I know of him from before, although I had not actually talked to him. He was a well-known figure and a native of Bengal. He became the Supreme Commander of the INA shortly afterwards and he also took over the Presidency of the Indian Independence League from Rash Behari Bose.

Exhibit 'O'

I produce a photograph (Exhibit 'O'). This shows Subhas Chandra Bose inspecting an INA Unit of armoured cars in Singapore. He is accompanied by Capt. M.Z. Kiani, Lt Col Loganathan, Lt Col Bhonsle, Capt. P.K. Sahgal (the accused), Capt. R.M. Arshad, Capt. Jaswant Singh, Capt. Shah Nawaz Khan (the accused) and others. I was not present when this photograph was taken, but it must have been taken shortly after S.C. Bose arrived in Singapore.

Exhibit 'P'

I produce 'special Order of the Day', dated 15th August 1943, (Exhibit 'P'). I identify this as a proclamation issued by S.C. Bose. It is signed by him and I identify his signature with which I am familiar.

Two or three months after S.C. Bose's arrival in Singapore another guerrilla Regt was formed, which was officially known as No. 1 Grla. Regt. It was also loosely referred to as 'Bose' or 'Subhas' Regt. The other three Regts were numbered 2 (Gandhi), 3 (Azad) and 4 (Nehru). They were all incorporated in No. 1 Div. of the INA which commenced to move to Burma about October/November 1943. The INA was expanded and 2 and 3 Divs were formed. The total strength of the INA was finally about 40000. No. 2 Div. was composed partly of Military PW and Partly of Civilians. No. 3 Div. was almost entirely composed of civilians. These civilians were mostly recruited by the IIL in Malaya.

Exhibit 'Q'

I produce an Enrolment Form for civil volunteers, issued by the IILHQ, (Exhibit 'Q').

On 21st October 1943, there was a mass meeting held in the Cathay building in Singapore. There were some 5000 present amongst whom were INA Officers, Jap. Officers, prominent Indian civilians and delegates from countries inhabited by Indians in the Far East. S.C. Bose addressed the meeting. I was present. He said the INA was about to go in action in Burma and urged the civilians to lend every support to the movement. He announced the establishment of the Provisional Govt of Free India, which would administer territory occupied by the INA. He gave the names of the ministers as follows:

Lt Col Bhonsle
 Lt Col Chatterjee
 Lt Col Loganathan
 Capt. M.Z. Kiani
 Capt. Ehsan Qadir, 5/2 PR
 Capt. Gulzara Singh, 4/19 Hybad
 Capt. Shah Nawaz Khan (the accused)
 Major Bhagat
 Major Aziz Ahmad Khan

and certain civilian members. S.C. Bose said he had become Head of the State. He announced the names as Ministers of State, but did not mention their functions.

Exhibit 'R'

I produce photograph (Exhibit 'R'), which was taken at the time of the meeting. It shows S.C. Bose addressing the meeting.

Exhibit 'S'

I produce a photograph (Exhibit 'S'), which was also taken at the meeting and shows the members of the Government assembled on the platform.

Exhibit 'T'

I produce a photograph (Exhibit 'T'), which was also taken at the time and it shows all the military members of the Govt whom I can identify.

The announcement by S.C. Bose was greeted with cheering and great acclamation.

Exhibit 'U'

I produce a photograph (Exhibit 'U'), which shows S.C. Bose inspecting a parade of INA troops in Singapore. I identify Capt. P.K. Sahgal amongst the officers accompanying S.C. Bose.

Exhibit 'V'

I produce a photograph (Exhibit 'V') which was taken very soon after S.C. Bose's arrival at a mass rally at which I was present. I identify Capt. P.K. Sahgal standing next to S.C. Bose.

In February 1944 the Main HQ of the INA reached Rangoon and was established at a bungalow in Jamal Avenue. Rear HQ was Singapore. I arrived about the end of March 1944 in Rangoon. By this time the following units of the INA were already in Burma: the 4 Guerrilla Regiments, Nos 1 and 2 Bahadur Groups, Reinforcement Group, Intelligence Group and Ancillary Units.

In April 1944 I was ordered by Capt. P.K. Sahgal, Military Secretary, to proceed up country and I arrived at HQ's at Maymyo about 10th April 1944. Nos 1, 2 and 3 Grla Regts were at the front preparatory to the Manipur and Arakan offensives. No. 4 was at Mandalay.

At Maymyo Lt Col Ehsan Qadir was there with the Azad Hind Dal, an organisation intended to administer territory taken by the INA. It was composed of civilians who had been given some training in civil administration in Singapore and in Rangoon. I was asked at Maymyo by Lt Col Chatterjee who was 'Governor Designate of occupied territories' to go through his draft scheme for the administration of occupied territories. I remained on this work for some five weeks and then returned to Rangoon by the third week of May 1944 where I resumed my duties as JAG at the INA HQ. S.C. Bose was at Maymyo while I was there and I returned with him to Rangoon.

In August 1944 I was instructed by Capt. P.K. Sahgal to take over temporarily from him the duties of DAG in addition to my duties as JAG and I thus became responsible for maintenance of discipline, postings of other ranks, maintenance of strength returns and the issuing of orders.

Exhibit 'W'

In July 1944 the 3 Grla Regts had sustained reverses and withdrew to Mandalay. I produce a 'Special order of the Day' dated 14th August 1944 (Exhibit 'W') by S.C. Bose whose signature I identify.

Exhibit 'X'

I produce a copy of INA Orders Nos 334 to 335 issued on 5th September 1944 (Exhibit 'X'). They were issued and signed by me in my capacity as DAG Order No. 334 was published on the instructions of Capt. P.K. Sahgal, the Military Secretary, No. 335 (Decorations AHF Personnel) was published on the instructions of the Provisional Govt viz., Capt. P.K. Sahgal.

In October/November 1944 the Provisional Govt formed a War Council to better and pursue their war aims. The War Council consisted of:

- Lt Col Chatterjee
- Lt Col Bhonsle
- Capt. M.Z. Kiani
- Capt. Ehsan Qadir
- Major Aziz Ahmad Khan
- Capt. Gulzara Singh

I do not recall who else was on this Council.

Exhibit 'Y'

I produce an Order 445, dated 30th October 1944, which was issued by me (Exhibit 'Y'). This order was published on the instruction of the Prov. Govt and a copy was sent to me for publication through Capt. P.K. Sahgal, Military Secretary.

In February 1945, four of the officers of the INA were promoted Major-General, viz.

- Lt Col Loganathan
- Lt Col Bhonsle
- Capt. M.Z. Kiani
- Lt Col Chatterjee

These all wore INA badges of Major-General the same as Exhibit 'I' already produced.

In April 1945, the military situation of the INA became desperate. We were cut off from the troops at the front and no news was being received at HQ in Rangoon. British troops were advancing on Rangoon. The last news of No. 2 Div. before communications were cut, was that it was in the Popa area, i.e., 1 and 2 Inftry Regts. Nehru Bde was in the Kyankpadaung area. The remnants of 1 Div. were last heard of at Pymmana down to Zeyawaddy. In Rangoon there were some 60000 men about half of whom were armed. They were not fit for action.

On 24th April 1945, S.C. Bose left Rangoon with a few senior officers and there was no plan for the evacuation of the main body of the INA in Rangoon.

On 3rd May 1945 British troops entered Rangoon and the INA surrendered.

Exhibit 'Z', 'AA', 'BB'

I produce three INA pay books (Exhibits 'Z', 'AA' and 'BB'). This was the type of pay-book issued to all ranks of the INA.

Exhibit 'CC', 'DD'

I produce two 'Orders of the Day', dated 13th May 1945, signed by S.C. Bose, whose signature I identify (Exs 'CC' and 'DD'). These orders were issued consequent upon the desertion, just previously, of 5 staff officers from 2 Div. to the British.

In May or June 1943, I worked in the same office as Capt. Shah Nawaz Khan in HQs of the Military Bureau in Singapore. He was working as the Chief of General Staff. He was an INA Lt Col and wore his INA badges of rank.

I produce letter No. 107/1/2/G, dated 22nd March 43, addressed to HQs INA Bidadari, re. Policy regarding reorganisation of the INA (Exhibit 'EE'). It is signed by Capt. Shah Nawaz Khan as CGS Office of the DMB IIL. I identify his signature with which I am familiar.

Exhibit 'FF'

I produce letter No. 107/1/6/G, dated 30th March 1943, addressed to HQ INA Bidadari, re. the designation of units and formations (Exhibit 'FF'). It is also signed by Capt. Shah Nawaz Khan as CGS.

Exhibit 'GG'

I produce letter No. 107/1/11/G. dated 3rd April 1943, addressed to OC Reinforcement Group, HQ INA Bidadari, re. the reorganisation of the Reinforcement Group. (Exhibit 'GG'). It is also signed by Capt. Shah Nawaz Khan as CGS.

Exhibit 'HH'

I produce letter No. 104/5/1/G, dated 27th May 1943, addressed to HQ INA re. policy regarding the disposal of category 'B' and 'C' personnel (Exhibit 'HH'). It is also signed by Capt. Shah Nawaz Khan as CGS.

Exhibit 'II'

I produce letter No. S/10/1/G, dated 8th August 1943, addressed to HQ No. 1 Div. INA enclosing 'Scheme for the reception and management of the Indian Soldiers in Burma' (Exhibit 'II'). It is also signed by Capt. Shah Nawaz Khan as CGS HQ Supreme Command INA.

Exhibit 'JJ'

I produce letter No. 107/7/4/G, dated 8th September 1943, addressed to HQ No. 1, Div. INA reorganisation No. 2, MT Coy (Exhibit 'JJ'). It is also signed by Capt. Shah Nawaz Khan as CGS Supreme Command.

After the arrival of S.C. Bose, in Singapore, No. 1 Grla Regt was formed and Capt. Shah Nawaz Khan was appointed its Commander. He left with his Regt for Burma about October 1943. He returned to Rangoon about the end of 1944. In February 1945, he was promoted to the rank of Col and he wore the appropriate badges.

Exhibit 'KK'

I produce a Routine Order of No. 502 Unit, dated 15th March 1945 (Exhibit 'KK') appointing Capt. Shah Nawaz Khan in the rank of Col as temporary Comdr of No. 502 Unit, vide serial 144. This order is signed by Capt. D.C. Bhandari, who was 2 i/c, details of 2 Div. in Rangoon. I identify his signature with which I am familiar. I do not know whether No. 502 unit was No. 2 Div. or not. No. 152 Unit was No. 1 Div. I do not know however that Capt. Shah Nawaz Khan was appointed Comdr of 2 divs about this time and he proceeded to the front.

Exhibit 'LL'

I produce a 'Special Order of the Day' by Col Shah Nawaz Khan, dated 10th March 1945 (Exhibit 'LL'). It is signed by Capt. Shah Nawaz Khan. The order states the 4 sepoys were executed for desertion on 6th March 1945.

Exhibit 'MM'

I produce No. 531 unit operation Order No. 2; dated 27th March 1945 (Exhibit 'MM'). It is signed by Capt. Shah Nawaz Khan.

Exhibit 'NN'

I produce a penciled information report addressed to Major Kawabara, dated 2nd April 1945 (Exhibit 'NN'). It is signed by Capt. Shah Nawaz Khan.

Exhibit 'OO'

I produce an Operation Instruction Serial No. 1, dated 6th April 1945, distributed to No. 801 Unit, No. 747 Unit, etc. (Exhibit 'OO'). it is signed by Capt. Shah Nawaz Khan.

Exhibit 'PP'

I produce 'Operation Order No. 6, dated April 1945', which refers to the move of troops on 10th April 1945 (vide para, headed Method) Exhibit 'PP'. It is signed by Capt. Shah Nawaz Khan.

Exhibit 'QQ'

I produce a letter No. A/11/43, dated 10th April 1945, addressed to Nos 603, 747 and 801 Units, AHF (Exhibit 'QQ'). It is also signed by Capt. Shah Nawaz Khan.

Exhibit 'RR' and SS

I produce diaries for 1944 and 1945 respectively and they are both in the handwriting of Capt. Shah Nawaz Khan (Exhibit Registrar and 'SS').

Capt. P.K. Sahgal was Adjutant to I Hind Field Force Group on the formation of the INA in September 1942. I came to know him personally about May 1943 when he was the INA Military Secretary in the DMB's Office. He was an INA Major and he was wearing his badges of rank as such. He remained working as Military Secry. and was promoted INA Lt Col about September 1944. For some five or six months prior to August 1944, he carried out the function of DAG in addition to his duties as Military Secretary. In the course of my duties as JAG I had occasion to contact him on several occasions on questions of disciplinary proceedings, re. INA officers. He had direct access to S.C. Bose, the Supreme Comdr, as had the Ministers of the Govt.

He remained as Military Secretary. Until about February 1945, when he took over command of No. 2 Inftry Regt. He had arrived from Singapore in Rangoon about February 1944 and remained there for about a year before taking an active command. He left Rangoon after being appointed Comdr 2 Inftry Regt.

Exhibit 'TT'

I produce letter No. 245/2/2/A, dated 2nd February 1944, addressed to all Units (Exhibit 'TT'). It is signed by Capt. P.K. Sahgal, whose signature and handwriting I am familiar with.

Exhibit 'UU'

I produce a letter No. 16/2/18/M.S., dated 16th June 1944 addressed to Col M.Z. Kiani (Exhibit 'UU'). It is signed by Capt. P.K. Sahgal.

Exhibit 'VV'

I produce a letter, dated 20th August 1944, addressed to 'Zaman' (Exhibit 'VV'). This letter is in the handwriting of Capt. P.K. Sahgal. Capt. M.Z. Kiani used to be known as 'Zaman' amongst his friends. I know the Capt. P.K. Sahgal's first name is Prem (his full name is Prem Kumar Sahgal).

Exhibit 'WW'

I produce a 'Situation Report', dated 21st August 1944, from Rear HQ No. 2 Supreme Command to Comdr of No. 1 Div. (Exhibit 'WW'). It is signed by Capt. P.K. Sahgal and the footnote is in his handwriting.

Exhibit 'XX'

I produce a letter No. 103/2/11/G, dated 31st August 1944, addressed to HQ. Hikari Kikan, Rangoon, re. movement of troops ('Exhibit XX'). It is also signed by Capt. P.K. Sahgal.

Exhibit 'YY'

I produce letter No. S/210/21/12, dated 7th February 1945, addressed to 202 Unit, AHF, re. state of readiness (Exhibit 'YY'). It is also signed by Capt. P.K. Sahgal as Comdr No. 210 unit.

Exhibit 'ZZ'

I produce Crime Report in respect of 4 sepoys (Hari Singh, Daryao Singh, Duli Chand and Dharam Singh), (Exhibit 'ZZ'). Under the Column 'punishment awarded', the following entry appears 'Remanded for Div. Comdr's trial'. This entry is in the handwriting of Lt G.S. Dhillon, the accused, whom I recognise and is signed by him. I identify his handwriting with which I am familiar. This column also shows an entry 'Sentenced to death' which is in Capt. P.K. Sahgal's handwriting. The column headed 'by whom awarded and date' is signed by Capt. P.K. Sahgal and is dated in pencil 6th March 1945. I do not recognise the remainder of the writing under column headed 'punishment awarded'. The crime report itself is signed by Lt G.S. Dhillon, Major Comdg No. 420 unit.

Exhibit 'AAA'

I produce a 'Situation Report' from No. 747 Unit, dated 6th April 1945, addressed to No. 599 Unit, re. Legyi Operations (Exhibit 'AAA'). It is signed by Capt. P.K. Sahgal.

Exhibit 'BBB'

I produce a signal from Adv. HQ No. 2 Div. to HQ Supreme Command, dated 6 (Exhibit 'BBB'). It is in the handwriting of Capt. P.K. Sahgal and is also signed by him.

Exhibit 'CCC'

I produce a 'Special Order of the Day' by Lt Col P.K. Sahgal, off. Comdr No. 2 Div A.H.F. It is undated. It is signed by Capt. P.K. Sahgal (Exhibit 'CCC').

Exhibit 'DDD'

I produce a diary for 1945, which is in Capt. P.K. Sahgal's handwriting (Exhibit 'DDD').

Exhibit 'EEE'

I produce a letter No. 7/2/Ms, dated 26th March 1944, containing personal numbers of INA Officers. It is addressed to all formations and units and the list of numbers is attached. It is signed by Capt. P.K. Sahgal, as Military Secretary (Exhibit 'EEE').

I first met Lt G.S. Dhillon in Neesoon Camp about April 1942, where we were both PW.

In September 1942, when the INA was established, I met him in the INA HQ at Bidadari. He was the o/i/c of Supplies and Transport. His INA rank was Capt. He held this appointment until the crisis in the INA in December 1942. When I joined the INA about May 1943, I met him, when he visited DMBHQ in Thomson Road, in Singapore. He was also in the INA. He was then a Staff Officer, in INA HQ, at Bidadari.

In October or November 1943 he was 2 i/c to Capt. S.M. Hussain (4/19 Hybad), who was commanding Hind Field Force Group (part of 2 Div.) and arrived in Burma, about September 1944. He was an INA Major by this time.

Soon after his arrival in Rangoon, he was appointed OC 4 Grla Regt (Nehru Bde). He moved off to Mandalay to take up his duties. His Regt was in action in the Kyankpadaung area about February 1945. He became a Lt Col about the end of February 1945.

Exhibit 'FFF'

I produce letter No. A/19/18. dated 22nd December 1944, addressed to Liaison Officer, Hikari Kikan Myingyan repossessions of war prisoners (Exhibit 'FFF'). It is initialed by Lt G.S. Dhillon, whose handwriting, signature and initials, I am familiar with.

Exhibit 'GGG'

I produce a letter No. 6/5/G, dated 2nd March 1945, addressed to all units and formations about 'Secrecy and Security' (Exhibit 'GGG'). It is signed by Lt G.S. Dhillon.

Exhibit 'HHH'

I produce letter No. 6/6/G, dated 2nd March 1945, addressed to all formations/units re. 'Password' (Exhibit 'HHH'). It is initialed by Lt G.S. Dhillon.

Exhibit 'III'

I produce Intelligence Summary No. 3, No. 501 Unit, dated 3rd March 1945, (Exhibit 'III'), which is signed by Lt G.S. Dhillon.

Exhibit 'JJJ'

I produce 'Intelligence Summary No. 4, No. 501 Unit AGF', dated 4th March 1945 (Exhibit 'JJJ'). It is signed by Lt G.S. Dhillon.

Exhibit 'KKK'

I produce letter No. 6/8/G, dated 6th March 1945, addressed to all units and formations re. Safety and Security (Exhibit 'KKK'). It is also signed by Lt G.S. Dhillon.

Exhibit 'LLL'

I produce 'Operation Order No. 2, No. 501 unit AHF, dated 6th March 1945' (Exhibit 'LLL'). It is signed by Lt G.S. Dhillon and the footnote is in his handwriting.

Exhibit 'MMM'

I produce a Crime Report which appears to be a duplicate of Exhibit 'ZZ'. (Exhibit 'MMM').

Exhibit 'NNN'

I produce Intelligence Summary No. 5–No. 501 unit, AHF, dated 7th March 1945 dated (Exhibit 'NNN'). It is also signed by Lt G.S. Dhillon.

Exhibit 'OOO'

I produce a letter from Subhas Chandra Bose to 'Major G.S. Dhillon, dated 12th March 1945'. I identify S.C. Bose signature (Exhibit 'OOO').

Exhibit 'PPP'

I produce a 'Battle Report No. 4 from Unit No. 450 to unit No. 531', dated 18th March 1945 (Exhibit 'PPP'). It is signed by Lt G.S. Dhillon.

Exhibit 'QQQ'

I produce a letter in manuscript from Lt G.S. Dhillon to Netaji, dated 20th March 1945 (Exhibit 'QQQ'). The handwriting and signature are those of Lt G.S. Dhillon.

Exhibit 'RRR'

I produce Battle Report No. 5 from Unit No. 450, dated 25th March 1945, addressed to 531 Unit (Exhibit 'RRR'). It is initialed by Lt G.S. Dhillon.

Exhibit 'SSS'

I produce carbon copy 'Operation Order No. 2 from Unit No. 170 to 173 unit', undated (Exhibit 'SSS'). It is signed by Lt G.S. Dhillon.

Exhibit 'TTT'

I produce Signal No. D. 5 dated 2nd April 1945, from Lt Col G.S. Dhillon, Commander 450 unit AHF to Col Shah Nawaz Khan (Exhibit 'TTT'). It is signed by Lt G.S. Dhillon.

Exhibit 'UUU'

I produce a type written sheet headed 'Charge of the Immortals', dated 9th April 1945 (Exhibit 'UUU'). It is signed by Lt G.S. Dhillon, as Comdr of 801 unit.

Cross-examination by Capt. Shah Nawaz Khan:

Q.9. Which was the largest PW Camp in Singapore?

A.9. Neesoon was the biggest containing I should say about 8/10000 PW.

Q.10. Who were the delegates sent from Neesoon to Bangkok?

A.10. So far as I am aware no delegates were sent from Neesoon.

Q.11. Do you know how the delegates for Bangkok Conference were selected and did you not think it strange at the time that no delegate was sent from the largest camp?

A.11. I do not know how the delegates were selected and I did not think it strange at the time that no delegates were sent from Neesoon. I had little interest in the movement at that time.

Q.12. Are you aware that a number of officers in Neesoon Camp protested to Capt. Mohan Singh, when I was transferred out of the camp just before the Bangkok Conference?

A.12. Yes. I am.

- Q.13. Was not the reason for my transfer, the differences of opinion which I had with Capt. Mohan Singh over the selection of representatives for the Bangkok Conference?.
- A.13. I was not aware of that. There was some resentment against your transfer.
- Q.14. Was a secret meeting held of all Mohammedans VCOs at the mosque in Neesoon Camp about the time that the 'Bidadari Resolutions' were being discussed?
- A.14. Yes.
- Q.15. Was the decision (Duakhair) of this meeting that Mohammedans would refrain from joining the INA?
- A.15. I was not aware of that. I know this meeting was called together by you (Capt. Shah Nawaz Khan).
- Q.16. In the DMB's office was not the CGS a misnomer and it was the Chief Administrator who was due to take command in the absence of the Director?
- A.16. Yes that was the case. The CGS was later changed to GSOI.

Cross-examination by P.K. Sahgal:

- Q.17. After the Bangkok Conference were you and other PW informed publicly about the resolutions passed at the Conference?
- A.17. No, but there was a certain amount of discussion amongst the officers. A certain amount of information must have leaked out and I knew that the decisions were meant to be secret.
- Q.18. Did Capt. Mohan Singh ever make a public announcement to the PW in Singapore, that if the need arose they would fight the Japs in addition to the British?
- A.18. Yes, he said this at a public meeting at which the INA was present held on the Anniversary of Mahatma Gandhi's Birthday, at Farrer Park, i.e., 2nd October 1942.

Cross-Examination by P.K. Sahgal:

- Q.19. When the INA was formed in September 1942, did I not go to Penang for some two months due to sickness?
- A.19. Yes.
- Q.20. Is it a fact that the chocolate coloured star with a red centre on Exhibit D was resented to by the INA due to the fact that it could be mistaken for the rising sun of Japan?
- A.20. Yes, it was resented to and it was not worn by the INA under Subhas Chandra Bose on any of the INA Badges.

D.C. Nag

PW 3—No. 13924 Jem. Iltak Razak, 42 Field Part Coy,
Bengal Sappers and Miners (Mohd.) States

I enlisted in the Indian Army in 1922 and was promoted to the rank of Jamedar on 1st January 1941, while I was in Kuala Lumpur. I served with 43 Fld Park Coy during the operations against the Japs in Malaya and was taken PW along with my unit in Singapore, on 15th February 1942.

I remained in various PW Camps in Singapore as follows:

Bidadari, Kranji, Tengal, Tyersall Park

I was then transferred to Kula Lipis and next to Port Dickson which I reached about November 1942, where I remained for about a year.

In January or February 1943, I saw Capt. Shah Nawaz Khan, 1/14 PR, whom I now recognise as one of the accused. He arrived in Port Dickson and addressed all officers PW and Subedars and

Jamedars. He wore the INA badges of rank of Lt Col. He spoke for about half an hour. I was present. He said that the INA under Capt. Mohan Singh has been disbanded and that a new INA was being formed. He said that any PW who wanted to join could do. He pointed out how badly we were being treated there, but that if we joined the INA we would be well-treated and fed properly. He told us to explain this all to the PW and to give a list of the volunteers to the Camp Comdr for despatch to INA HQs at Singapore, but there were no volunteers. I did not thereafter see Capt. Shah Nawaz Khan.

In November 1943, I volunteered for the INA along with some 350 PW. I did so in order to avoid further hardship and to preserve my health. We proceeded to Singapore and I was posted to No. 5 Guerrilla Regt in Bidadari Camp. The Regt was under training and moved to Ipoh about April 1944. We continued to train there until about August 1944, when the 3 Bns commenced to march to Burma, via Thailand. I arrived at Mingladan in Rangoon, about 15th January 1945. On arrival there the Comdr of the Regt was Capt. P.K. Sahgal, whom I now recognise as one of the accused. He had taken over command from an INA Lt Col Rodriques before my arrival. Capt. P.K. Sahgal was an INA Lt Col and wore his INA badge of rank. I was Lt and the Sapper at Regt or Bde HQs. A few days after our arrival at Mingladan, Capt. P.K. Sahgal called a Conference of the Officers in the Bde and gave instructions for the move of the Bde to the Kyankpadaung area, i.e., to the front line. He also said that strict discipline must be enforced. There were 3 Bns in the Bde with about 650 men in each, a Signal Pl of about 35/40 men and 'SS' Coy of about 120 men whose function was the collection of intelligence. There were 5 Coys in each Bn. The men in the Coys were armed with rifles and there were some 3" Mortars and LMGs in the Bns. At this time the name of the Bde was changed to No. 2 Inf Regt.

Shortly before the move of the Bde, which set off in the fourth week of January 1945, the Bde was paraded for inspection by Subhas Chandra Bose and Capt. P.K. Sahgal received him. The inspection was followed by an address by Subhas Chandra Bose who said that he realised that we were tired with our long march to Rangoon, but that we were going to the front, because it was our duty to do so. He urged us to carry out our duties well and honestly. He also said that the INA had fought well the previous year, but there had been some desertions and that he did not want to hear of further desertions.

I left about 22nd January 1945 with several men from Bde HQ and No. 1 Coy from No. 1 Bn as an advance party and we made our way to Popa to choose a site for the Bde.

I and 4 men from Bde HQ had proceeded by Car from Prome and we were the first to arrive at Popa, reaching there about 2nd February 1945.

Capt. P.K. Sahgal arrived about 15th February 1945 and the Bde HQ was set up at the foot of Popa Hill. The Bde commenced to arrive in small bodies. The Bde was in position by about 15th March 1945 with the exception of the 'SS' Coy.

Capt. P.K. Sahgal reconnoitered the positions for the Bns before their arrival. 1 Bn took up a position on the Popaywa/Pyinbin Road. A tank trap was dug. No. 2 Bn was on the left flank on the Popaywa/Kyankpadaung Road. No. 3 Bn was on the right flank on the right of the Popaywa/Legy Road. I produce two Ordinance Survey Maps 'No. 84 P. MEIKTILA' and 'No. 84-0-Sagaing' (Exs VVV and WWW). I point out the respective positions occupied by the 3 Bns.

When Capt. P.K. Sahgal arrived on 15th February 1945, he enquired where Lt G.S. Dhillon was. I recognise Lt G.S. Dhillon as one of the accused. I took Capt. P.K. Sahgal over to Lt G.S. Dhillon—the latter had arrived at Popa, the day before along with about 300/400 men of 4 Gla Regt. These had retired and came in small scattered parties from the Nyaungu area. These men were in poor condition, some being without their arms, boots and clothing.

About 25th February 1945, Capt. P.K. Sahgal called a Conference at which the Bn Comdrs and Bde staff were present. I was present. He said he was ashamed to see 4 Gla Regt in the condition and that he did not want to see anything like that happening in our Regt. He also said that cases of suspected desertion should be brought to the notice of Bde HQ for disciplinary action.

About 29th February 1945, Capt. P.K. Sahgal called another Conference of the Bn Comdrs. Some Div. Staff Officers, the Bde staff, myself and Lt G.S. Dhillon were also present. He said that he had bad news for us; that 5 officers from Div. HQ had received permission to carry out a night scheme in the area of No. 1 Bns position that the 5 officers had gone forward, but had escaped. Capt. P.K. Sahgal instructed us not to give this news to the Regt in order not to lower morale. He also said that he had dispatched a patrol to apprehend the officers and that these 5 would be shot if captured. He also said that suspected deserters hereto be brought to Bde HQ and that every man in the Regt was now authorized to shoot any other rank in the Regt if seen trying to escape. For the next two weeks men were arrested, but all were released after investigation of their cases with the exception of Capt. Bedi, who was in No. 2 Div. MES.

After the Regt was in position the Bns commenced to carry out sending patrols in front of their respective positions.

About 12th March 1945, I was issued with a No. of anti-tank mines and I asked Capt. P.K. Sahgal for instructions regarding these. He told me to find out how these mines were worked from the Japs and then to give instruction to No. 1 Bn to their use. I gave instructions to the Sapper Hav. in No. 1 Bn and gave him 16 mines. The remainder were buried at Bde HQ.

About 20th March 1945, Capt. P.K. Sahgal called a Conference at Bde HQ of his Bn Comdrs and Bde staff officers. He said the Bde was at full strength and ready for action: also that he would attack or else the British would attack us. He said that Bns must be told their positions despite any penetration since if they retired from Popa Hill area we would be cut off from our water supply. He instructed No. 2 Bn to move to Kyankpdaung that night. Capt. P.K. Sahgal himself set off with No. 2 Bn that night. After No. 2 Bn left that evening. I and four other men escaped and the following day about 1130 hours we reported to Bn troops at Nyaungu which was a distance of some 20/30 miles away from Popa the way they took. During the time I remained at 10/12 miles away and they were known to be at Pyinbin.

The Div. Comdr was Capt. Shah Nawaz Khan, and the Div. consisted of 3 Bdes viz., 4 Gla Regt or Nehru Bde, 1 and 2 Inf. Regts. About 25th February 1945 Capt. P.K. Sahgal was Offg Div. Comdr for about a week.

I first saw Lt G.S. Dhillon when I arrived in Singapore in Bidadari in November 1943. He was 2 i/c No. 5 Gla Regt with the INA rank of Major and wore his INA badges of rank. He was clean shave. He was responsible for training and discipline in the Regt. He ran an NCOs cadre and one for Junior officers from January to March 1944. He left the Regt at Ipoh about June 1944. I next saw him at Popa on about 14th February 1945 and he was still an INA Major. He was the Comdr 4 Gla Regt at the time. He remained at Popa until about 5th March 1945 when he moved with his Regt to Kyankpadaung. In the interval he was collecting his Regt together which was scattered in the area.

Cross-examination by Capt. Shah Nawaz Khan. Declined.

Cross-examination by Capt. P.K. Sahgal. Declined.

Cross-examination by Lt G.S. Dhillon. Declined.

13th and 14th August 1945.

PW 4—No. 40035 Hav. (Clerk) Pritam Dass,
Depot Dty MATC Hindu, States

I enlisted in 1934. I was serving with 10/22 Mountain Regt during the operations against the Jap. in Malaya and was taken PW with my unit in Singapore on 15th February 1942.

I volunteered for the INA on '1st September 1942 and was posted as a clerk in the HQs (Establishment Branch) of the INA in Bidadari.

I recognise Capt. Shah Nawaz Khan, 1/14 PR, as one of the accused, and first saw him in the last week of November 1942 in Neesoon Camp in Singapore. He was the Comdt of a Cadet Training School at the old RA Officers mess in the Camp. He was an INA Lt Col and wore INA badges of rank as such.

I was recommended and selected for the course which commenced on 29th or 30th November 1942. There were two groups of students 'A' and 'B'. 'A' group was composed of Infantry cadets and 'B' group of cadets, who required training in the use of small arms. I was in 'B' group.

On the commencement of the course, Capt. Shah Nawaz Khan gave an address to the cadets at which I was present and he said that it was our duty to fight for the freedom of our country even although this might entail fighting the Japs as well as the British. He also referred to the motto said by Lord Chettwood, a former Commander-in-Chief in India 'the honour safety and welfare of your country comes first, always and every time, the comfort, safety and welfare of the men you command comes next, your own safety and comfort comes last, always and every time.'

The course lasted only some ten days and was stopped owing to trouble having arisen between the INA and the Japs. A few days later cadets were returned to their respective camps and I went back to Bidadari. I did not thereafter see Capt. Shah Nawaz Khan.

Pritam Dass

Cross-examination by all three accused. Declined.
15th August 1945.

PW 5—No. A 1224 NK Santokh Singh, No. 1 Depot,
Indian Signal Corps (Sikh) States

I was serving in Malaya with the Sig. Sec. of 22 Indian Infantry Bde HQ in 1941 and was taken PW by the Japs on 31st January 1942. I was taken to Kuala Lumpur and next to Singapore which I reached about May or June 1942.

In September 1942, I became member of the INA and was posted to No. 1 Signal Coy in Hind Field Force Group at Bidadari. No. 1 Sig. Coy was part of the Group HQ stationed in B2 Camp in Bidadari.

I recognise Capt. P.K. Sahgal, 2/10 Baluch Regt as one of the accused and remember how he addressed some 137 men in No. 1 Sig. Coy, including myself in Bidadari in January 1943 after the INA had been disbanded. We were no longer in the INA having exercised the option given to PW not to remain in the INA if we so wished. He spoke for some 20 minutes and was unaccompanied by others. He was dressed in sports clothing. He said that we must volunteer for the INA as it was our national cause. He asked us to join the new INA, but he did not threaten us in any way. I did not thereafter see Capt. P.K. Sahgal. I did not volunteer for the new INA and on 5th May 1943 was drafted to New Guinea with a party of non-volunteers.

I recognise Capt. Shah Nawaz Khan, as one of the accused, and I first saw him about March or April 1943 in Seletar Camp in Singapore. Seletar was a Camp for non-volunteers. On the day previously we had been warned to parade at a certain time. All the non-volunteers were on parade

when Capt. Shah Nawaz Khan along with some other officers arrived. He was not wearing any badges of rank. He delivered a lecture to all of us. He said we should all join the new INA. He said that when Guru Gobind Singh wanted five men five brave men stepped forward. He said he wanted brave men like those five for the INA. He said volunteers should come forward boldly and gather round the National Flag. Nobody volunteered and he went away. During the next few days a few PW did volunteer. I did not see Capt. Shah Nawaz Khan again.

Santokh Singh

Cross-examination by Capt. Shah Nawaz Khan:

Q.21. How long did I speak?

A.21. About 10 or 15 minutes.

Q.22. Did I make any reference to a meeting of all INA officers called by Genl Iwakuru at Bidadari?

A.22. I do not remember.

Q.23. When I said that I wanted brave volunteers did I make any reference to the fact that when we arrived in India we might have to fight the Japs.

A.23. I don't remember.

Capt. P.K. Sahgal and Lt G.S. Dhillon decline to cross-examine the witness.

This evidence having been read over to the witness, he acknowledges the same to be correct.

M.P. Pariser,
Capt. E. Lan. R.
28 August 1945

Santokh Singh

PW 6—No. 6993/L/Nk. Ganga Ram Newar, 2/1 GR, (Hindu) Having Been Duly Warned States

I joined the Indian Army in 1933. I went to Malaya with my Bn, 2/1 GR in July 1941. After the outbreak of hostilities with Japan my unit was dispersed in the action at the Slim River and I became a PW at Penang in February 1942. For about a month before becoming a PW I had dressed as a civilian with some coolies.

From Penang I was transferred to Ipoh and then in October or November 1942 to Port Swettenham.

I recognise Capt. Shah Nawaz Khan as one of the accused. I first saw him about the end of April or beginning of May 1943 at Port Swttenham. He delivered a lecture to all the Indian PW there who were paraded for the occasion. I was present and heard the lecture. He called on us to volunteer to drive the British out of India. He said we should join the INA and if we did so we should get good rations and soon be sent to Burma. He spoke for about 15 or 20 minutes. He also said that in the INA our pay would only be like pocket-money but that when the freedom of India was achieved we should go back to our old rates of pay. He also said that volunteers should hand in their names to the Camp Commandant, and that on the following day they would be sent to Singapore. No one volunteered. I did not see him again after this occasion.

Cross-examination of this witness declined by all three accused. This evidence having been read over to the witness, he acknowledges the same to be correct.

M.P. Pariser

Ganga Ram

PW 7—No. 15981 Sepoy Dalasa Khan, 5/14 Punjab (Muslim),
Having Been Duly Warned, States

I joined the Indian Army in January 1940. I went to Malaya with a draft and joined 5/14 Punjab at Penang on 25th November 1940. I was with my battalion when hostilities with Japan broke out on 8th December 1941 and was captured by the Japs in the Slim River action on 15th January 1942.

I volunteered for the INA in September 1942 and was posted to Azad Bde 4 Bn. In October 1943, I was transferred to Bose Bde 3 Bn. The Bde Comd was Lt Col Shah Nawaz Khan, whom I know and now recognise amongst the accused. Shortly after I joined the Bose Bde I heard a lecture by Lt Col Shah Nawaz. It was addressed to the whole Bde which was paraded for the occasion. He said that the Bde was composed of selected officers and men from the whole INA and that he expected it to put up a good show. This was at Taiping.

The Bose Bde commenced to move from Taiping to Burma on the 20th or 21st November 1943 and it was assembled in the Rangoon area about 10th January 1944. On 7th February 1944, my battalion commenced to move to the Falam-Haka front and my Coy arrived there on 5th March 1944. Here the battalion was engaged on ration duties and patrolling.

I went on one patrol. It was composed of about 100 men from the Awal Coy. It was fully armed with rifles, Bren guns, tommy guns, machine guns and grenades. Even the nursing sepoy carried a bayonet. Our orders were to contact a Punjabi Coy of the British forces which was in the neighbourhood and to persuade them by propaganda to come over to the INA. We set out in the evening and on the following morning, we contacted a party of Chins with whom we exchanged fire, but none of our patrol was injured. We captured a party of about 24 Chins who did not fire on us, because they thought we belonged to the Indian Army. We captured them and took them back with us along with their arms. We did not contact the Punjabi unit.

I escaped to the British on 31st March 1944

Dalasa Khan

Cross-examination declined by all the accused:

This evidence have been read over to the witness, he acknowledge the same to be correct.

Dalasa Khan

M.P. Pariser,
Capt. E. Lan. R.
28th August 1945

PW 8—No. 16920 Hav. Navab Khan, 1/13 F.F.R. (Muslim),
Having Been Duly Warned, States

I joined the Indian Army on 4th December 1937 and was posted to 1/13 FFR. I went to Malaya with my battalion in April 1941 and was with my battalion at Kotah Bahru, when hostilities with Japan broke out on 8th December 1941. We withdrew to Singapore and were there when Singapore was surrendered on 15th February 1942.

I volunteered for the INA in October 1943 to avoid being sent to SW Pacific. I was posted to NI Guerrilla Regt which was also known as the Bose Bde and the Subhas Bde. I was sent to Bde HQ as Intelligence Havildar.

There were three Battalions in the Bde Nos 1, 2 and 3. There were five Coys in each battalion and three Pls in each Coy. There were approximately 900 Officers and men in each battalion.

The Bde Comd. was Lt Col Shah Nawaz, whom I now recognise amongst the accused. He wore INA badges of rank when I saw him.

When I joined, the Bde was at Taiping and on 3rd January 1944, we had arrived at Rangoon. I left Rangoon on 12th February. Up to the time I left, the Bde was under training. The training consisted of PT drill, route marches and night exercises.

I set off with an advance party of Bde HQ on 12th February 1944, Nos 2 and 3 Bns followed after, together with an SS Coy and a Sigs PI which had been attached to the Bde.

At about the middle of April 1944, the Bde was disposed as follows:

No. 1 Bn had been left behind in Rangoon, and was going to the Arakan. Two Coys of 3 Bn were in the Fort White area for road making, one Coy was in the Kalemio area with an anti-paratroop role, and the other two Coys of 3 Bn were engaged on ration duties between Kalemio and Pakkoku. Of the five Coys of 2 Bn one was at Falam, two were at Haka and two were at 45 MS on the Kalamyo-Falam track. The SS Coy was broken up, three groups of about eight men each being attached to each Coy and the balance attached to Rear Bde HQ at 48 MS on the Kalemio-Falam track. Adv. Bde HQ was at Falam. The Sig. Pl. was split between Adv. and Rear HQs. I was at Adv. HQ at Falam. Also there were Col Shah Nawaz, Maj. Mahboob Ahmad, the Adjutant, Maj. Ram Sarup, OCSS Coy, Lt Ajit Singh Bde, IO, Lt Abdul Rahman, Bde, Ord. Off., and one clerk. Abdul Rahman had been put in-charge of the rations and I was detailed to act as his assistant.

One Coy of 3 Bn was moved from Kaleymo to Haka and one Coy of Bn was moved to Haka from 45 MS. There were then at Haka three Coys of 2 Bn (being the Parwana, Jangju and Awal Coys) the last considerably below strength owing to sickness and one Coy of 3 Bn.

Jem. (Lieut) Sikandar Khan was OC Awal Coy. He was sick and so remained in Falam when his Coy moved to Haka. I asked him why his Coy had moved to Haka and he replied that it was going to take part in an attack on a British post. His place as OC was taken by Hav. (2/Lt) Mohd Aslam, OC Parwana Coy was Jem. (Lieut) Amrik Singh and OC Jangju Coy was Sub. (Capt.) Santa Singh. (Lieut) Makhan Singh was OC of the Coy of 3 Bn which moved to Haka.

On 14th May 1944, Lt Col Shah Nawaz, Maj. Ram Sarup and Lt Ajit Singh came back to Falam after a visit to Haka. Shah Nawaz told Abdul Rahman in my hearing that he had been called to the Jap. Div. HQ believed to be Indangyi. He said he thought the Bde would shortly move to the Imphal front leaving about 200 men at Haka for whom a six months supply of rations would have to be left. He then went on to say that on the 15th May three Coys, i.e. Parwana and Jangju Coys of 2 Bn and one Coy of 3 Bn would put in an attack on the British positions in the Klang area. The INA force would be commanded by Maj. Mahboob Ahmad and Capt. Ram Singh, OC 2 Bn would be 2 i/c because two of his Coys would be engaged. The INA force would try to capture as much British supplies as possible and would then withdraw to 49 MS on the Kalemio-Falam track. Lt Col Shah Nawaz gave all this information to Abdul Rahman in order that the latter might make appropriate arrangements for the supply of rations which was his job.

At about 160 C hours on 15th May, Lt Col Shah Nawaz Khan told me to go and see if any telephone message had been received at the Jap. Supply Depot which was the one we generally used. There was no message, so I waited. After about ten minutes I was called to the phone. I went and asked who was speaking. The answer was 'This is 2/Lt Gul Mohd.' I recognised his voice. He was LO at Bde HQ. He said he had a message for Col Shah Nawaz and told me to write it down. He dictated it to me and I wrote it down. It went roughly as follows:

'To Lt Col Shah Nawaz Khan.

From Major Mahboob Ahmad.

Enemy positions captured after little resistance.

Spirit of men high. Own troops no casualties. 3 or 4 enemy wounded or dead. Have captured matches,

cigarettes, blankets and tinned milk. Will explain verbally.'

I took the message to Lt Col Shah Nawaz who shortly afterwards left with Ram Sarup and Ajit Singh.

I remained at Falam and about a week later I escaped to the British. About 15 days before I escaped, Sepoy Dalasa Khan and other three men from 2 Bn escaped to the British. The country was high and good for escaping. There were no Jap. troops between us and the British forces. It was easy for INA personnel to escape to the British.

Nawab Khan

Cross-examination by P.K. Sahgal:

Q.24. After you joined the INA do you know if any parties from your unit were sent to SW Pacific?

A.24. I do not know.

Q.25. Who told you that if you did not join the INA you would be sent to SW Pacific?

A.25. A Sikh Lieut, who was the Camp Commandant at River Valley Camp.

Cross-examination declined by Capt. Shah Nawaz Khan and Lt G.S. Dhillon.

This evidence having been read over to the witness, he acknowledges the same to be correct.

M.P. Pariser,
Capt. E. Lan. R.
28th August 1945

Nawab Khan

PW 9—No. 37917 Hav. Mohd. Sharif, 7/22 Mountain Regt, IA (Muslim) Having Been Duly Warned States

I joined the Indian Army on 20th April 1932. With my unit, 7/22 Mountain Regt I went to Malaya arriving at Singapore on 11th August 1939. I was with my unit at Jitra on 8th December 1941 when hostilities with Japs broke out and I accompanied my unit on its withdrawal to Singapore where we remained until Singapore was surrendered on 15th February 1942.

I was kept in various PW camps in the Singapore area and on 1st September 1942 I volunteered for the INA. I was first posted as a clerk at HQ, INA Bidadari and on 8th August 1943 was transferred as a clerk in the training Dept Burma Territorial Committee, Indian Independence League, Rangoon. On 29th November I was sent to Mayang Camp for preliminary training at which I failed, for the OT S at Singapore. After a short spell as 'Q' clerk at Cushing Camp I was transferred on 23rd January 1944 to 1 Guerrilla Regt at Mingaladon as head clerk at Regt HQ. The Regt Comdr was Lt Col Shah Nawaz, whom I now see and recognise amongst the accused. The 2 i/c was Major Thakur Singh.

The Regt commenced to move to the front on 4th February 1944 and by March Adv. Regt HQ was at Haka and Rear Regt HQ was at Myitha-kaka. Lt Col Shah Nawaz was at Haka. I was at Myitha-kaka with Maj. Thakur Singh.

In August 1944, I made plans with Sub-Officer Sucha Singh, Regt MTO and Lt S.N. Sarcar, Accounts Officer, to escape to the British. Sarcar reported this to Thakur Singh and I was placed in close arrest on 4th September 1944. Thakur Singh ordered a Court of Inquiry with Major Talib-ud-Din, as President. I was found guilty of attempting to desert from Azad Hind Fauj, propaganda against INA and abusive language to Subhas Chandra Bose.

I was then sent back under close arrest to Pynmana. Here on 31st January 1945, another Court of Inquiry of the same composition as the first, was held. I understood that this was done, because the proceedings of the First Court had been lost. The findings were the same as on the first occasion.

On 24th February, I was tried by Summary General Court Martial convened by HQ, 1 Div. The Comd. of 1 Div. was then Lt Col Shah Nawaz. I was charged with the same three offences of which I had been found guilty by the Courts of Inquiry, plus extra charges of instigating the personnel of Awal Coy of 2 Bn of 1 Grl Regt to desert and being a confidential officer of the Regt communicating secrets to the enemy. I do not know what the findings of the Court Martial were. They were never promulgated to me.

After the Court Martial I was placed in open arrest until 21st April, when I was again placed in close arrest. On 23rd April, I was sent to Rangoon and I remained there until the British arrived.

Mohammad Sharif

Cross-examination by Capt. Shah Nawaz Khan:

Q.26. What date did you arrive in Rangoon?

A.26. 26th April 1945.

Q.27. What date did the British arrive there?

A.27. 5th May 1945.

Q.28. Were you placed under any restrictions in Rangoon and what was your job?

A.28. I reported on 26th April and was ordered to see Lt Col Mahboob Ahmed, the Military Secretary, on 29th April which I did. I remained at HQ Supreme Comd. On 2nd May all troops were confined to barracks. No restrictions other than these were placed upon me.

Q.29. At your Court Martial did you plead guilty or not guilty?

A.29. Not guilty.

Q.30. Did you make a statement at the Court Martial?

A. 30. Yes.

Q.31. What did you say?

A.31. I said that I had been kept in close arrest for 6 months and in no army in the world was there any order which allowed such a thing to be done. I asked the Court in view of this fact to come to a quick decision.

Q.32. What evidence did you call for the defence?

A.32. I called Sikandar Khan, OC Awal Coy, and Jodh Singh, 2 i/c 3 Bn. The former stated that it had never been reported to him by any of the officers of his Coy, that I had attempted to incite the men to desert to the British. The latter stated that he never heard of any attempt by me to escape.

Q.33. When did you last see me?

A.33. At Myitha-kaka on 17th May 1944.

Q.34. When next after that?

A.34. Not until now.

Q.35. Do you know any thing of my whereabouts after 17th May 1944?

A.35. No.

Q.36. When did you arrive in Prinmana?

A.36. January 1945. I cannot remember the exact date.

Cross-examination by Capt. P.K. Sahgal:

Q.37. When were you promoted Sub-Officer?

A.37. 1st February 1944.

Q.38. Did you ever make a statement to any one that if there were no further promotion for you in the INA you would get it from the British?

A. 38. No.

Cross-examination of this witness declined by Lt G.S. Dhillon. This evidence having been read over to the witness, he acknowledges the same to be correct.

Mohd. Sharif

M.P. Pariser,

E. Lan, R.

30th August 1945

PW 10—No. 518766 NK Mohd Faruq, SIBT Coy, RI ASC, (Muslim), Having Been Duly Warned States

I joined the Indian Army in May 1937. I went to Malaya with my unit, SIBT Coy arriving at Singapore on 6th January 1942. I remained in Singapore until it was surrendered to the Japs on 15th February 1942.

I joined the INA in September 1942. At that time I had just been discharged from hospital after suffering from dysentery and was feeling weak. My unit had been sent away. A lot of PW were being beaten to make them join the INA. For these reasons and to avoid being beaten, I volunteered.

I was posted to Reinforcement Group and later transferred to HQ, INA. On 10th February 1944 I was transferred to 4 Guerrilla Regt also known as Nehru Bde where I became Chief Clerk at HQ 2 Bn. I was promoted to Sub-Officer.

The Regt was composed of three battalions of an average strength of 601 each, a special service Coy, with a strength of about 110, and a Singles Pl. The role of the Guerrilla Regt was to fight against the Allied Forces with minimum of equipment and stores and to capture what it needed from the enemy. The job of the SS Coy was to work up in the frontline and to propagandise troops of the Allied Forces by shouting and throwing pamphlets.

When I was posted to the Regt it was at Taiping. In February 1944 it moved to Rangoon. About the end of April 1944 it moved to Mandalay. In September or October 1944 it moved to Myingyan.

In September 1944 I was made Assistant QM in 3 Bn of the Regt.

In November 1944, whilst the formation was in Myingyan Maj. Dhillon became the CO. He took over from Maj. Mahboob Ahmed. I now recognise Maj. Dhillon as one of the accused. In March 1943, I read in the INA. Gazette that he had been appointed DQ MG at I Div.

The Regt remained at Myingyan until the beginning of February 1945. The men were employed in digging trenches. This was done at night because of the British air raids during the day. The men slept during the day and received educational instruction.

I first saw Maj. Dhillon in December 1944. He gave a lecture to the officers of the 3 Bn at which I was present. It was in a hut in Nawabian, a village about 9 miles from Myingyan. There was a blanket fastened on the wall and maps were stuck on to it. He told us the strengths and positions of the Allied Forces in Burma. All I remember of this is that one column was moving from Kalewa to Monywa, one column was at Tiddim and a third advancing on Shwebo. He

pointed out these places on the maps. He said that the Regt would remain in its present position and that when the enemy approached we should get orders from Supreme Comd.

I saw him again when he was visiting the patients in the Regt hospital at about the beginning of January 1945.

In February 1945, the formations moved forward and took up positions on the east bank of the Irrawaddy with No. 1 Bn at Nyangu, No. 2 Bn at Pagan and No. 3 Bn with Regt HQ at Tetti, about 21/2 miles from Myangu, along with SS Coy and the Sig. Pl. The British forces were on the other bank of the river.

On 11th or 12th February 1945, Maj. Dhillon delivered a lecture to the officers of 3 Bn at Tetti at which I was present. He told us that we had no rations and no reinforcements, but that we would stay where we were and fight. He said there would be no retreat. He also said 'Delhi lies ahead' which we took to mean that we would fight on until in the end we reach Delhi.

On the morning of 14th February 1945, I heard heavy firing in the Myaungu area. I also saw British aircraft bombing and machine gunning Jap. position about a mile from Myaungu. The troops in the Terri area took shelter in trenches, but there were no attacks on us. About 1000 hrs the firing died down, but the Air attacks continued. At about 1000 hrs I was called to a Conference of Officers, convened by Maj. Dhillon. I did not go because I thought he was going to order a withdrawal and I had decided to remain and escape to the British. After the Conference Sub-Officer Ram Nath, Chief Clerk of 3 Bn, told me what had happened at the Conference. Every body had expressed his opinion about what he thought ought to be done next. Maj. Dhillon then said that each one could do as he liked, but that he would remain and die there.

About 1900 hrs the British brought mortar fire to base on the village. I sheltered in a trench for about 15 minutes and when I came out I found that Maj. Dhillon and Regt HQ had gone and that there was no one left in the village. I took shelter in a Pagoda about a furlong out of the village where I remained all night with a number of other men. On the following day I surrendered to the British with about 30 other men.

Mohammad Faruq

Cross-examination of this witness declined by Capt. Shah Nawaz Khan and Capt. P.K. Sahgal.

Cross-examination by Lt G.S. Dhillon:

Q.39. When I took over the Regt, I gave a personal interview to each officer and asked him if he wished to remain with the Regt or be sent back. Do you remember that interview?

A.39. I was not interviewed.

Q.40. Do you remember my interviewing you in the last week of November 1944, in a village near Gwebnyu?

A.40. No.

Q.41. Do you remember that I used to give lectures to all the officers and men of each battalion on the 13th of each month?

A.41. Yes.

Q.42. Did you ever attend such a lecture?

A.42. No.

Q.43. Did you ever learn from other sources what I said on these occasions?

A.43. I did not.

This evidence having been read over to the witness, he acknowledges the same to be correct.

Mohammad Faruq

M.P. Pariser
Capt. E. Lan. R.
30 August 1945

PW 11—No. 38245 Aal Noor Khan, IEME Ind. Station Workshops, Peshawar (Muslim), Having Been Duly Warned, States

I joined the Indian Army in 1913. I went to Malaya in August 1941 with my unit, HW 28 Ind. Inf. Bde LAD. I was in Singapore with my unit when it surrendered on 15th February 1942.

I was sent as a PW to Neesoon Camp. I know Lt G.S. Dhillon and now recognise him. I first saw him at Neesoon shortly after I arrived there. He delivered a lecture to the PW which I attended. He was then wearing a beard, Sikh fashion, and a Sikh Pagri. He spoke about religion. He said that the Japanese had one of the oldest religions in the world and one of the best. He said that a part of the Jap. religion belongs to India, because Buddha, the head of this religion, was born in India. He said we should follow him and join the Japs who would secure India's freedom. Many of his audience especially the Muslims thought that it was foolish talk especially the part about the Jap. religion, but no one interrupted. That is the only occasion on which I came into contact with Dhillon.

I volunteered for the INA about April 1942.

I know Capt. Sahgal and now recognise him. I first came into contact with him at about the end of August 1942 when I was assisting Col Gilani to collect a party of men for a course in some secret work at Penang. At that time Capt. Sahgal was an INA Lieut at Bidadari. I went to him and collected two men for Col Gilani's party.

I saw Capt. Sahgal again some time later. He sent for me and asked me for certain information about the party which had been training at Penang. He was an INA Major and was Military Secy at HQ INA. I saw him altogether on two or three occasions and I gave to him a list of all the personnel of the Gilani party, showing which I recommended for continuance in the party, which for transfer to the Bahadur Gr. and which for transfer to the Reinforcement Group.

In February 1944, I was sent to India with a party for secret service work. When I arrived in India in March 1944, I reported to the British authorities with my party.

Asal Noor Khan
Sub.

Cross-examination by Capt. Shah Nawaz Khan:

Q.44. How long were you in Neesoon?

A.44. I am not sure. I think about two months.

Q.45. Do you remember a lecture by Major G.S. Dhillon to all VCOs of Neesoon in which he said the Japs had landed at Madras?

A.45. I was not present at that lecture.

Cross-examination by Capt. P.K. Sahgal:

Q.46. Did you complain in Singapore about the end of 1943 during an interview with Subhas Chandra Bose, about the promotions in the Gilani party?

A.46. Yes, I did.

Q.47. Did Subhas Chandra Bose ask you to speak to me about it?

A.47. Yes.

Q.48. Did you submit your list to me?

A.48. I gave my recommendations to you.

Q.49. Did you ask Subhas Chandra Bose for orders for the Gilani party and did he tell you that he would let you have the orders through Me?

A.49. Yes.

Cross-examination of this witness by Lt G.S. Dhillon declined.

This evidence having been read over to the witness, he acknowledges the same to be correct.

Asal Noor Khan
Sub.

M.P. Pariser,
Capt. E. Lan. R.
30th August 1945

PW 12—No. 12713 Hav. Sucha Singh, 7/8 Punjab (Sikh), Having Been Duly Warned, States

I joined the Indian Army in January 1933. I went to Malaya with my battalion 7/8 Punjab arriving at Singapore on 25th January 1942. We stayed in Singapore and were there at the time of the surrender on 15th February 1942.

About March 1943 Lt Dhillon, whom I now recognise, came to Jitra, where I was a PW and delivered a lecture to all the Indian PW there. I know him, because I had seen him once before in Singapore, before the surrender. When he came to Jitra, he was not wearing an Indian Army Lieutenant's badges of rank on his shoulders, but instead he wore gold bar with a gold star. On both occasions he was wearing a beard and a Pagri, Sikh fashion. When he came to Jitra he was accompanied by Maj. Dara.

Maj. Dara spoke first and said that the INA had been formed. It would only fight in India and would be used to obtain the Liberation of India. He said that they would fight with the Japs, but if there were any dishonesty on the part of the Japs once they were in India then the INA would have their arms and would use them against the Japs. He said the PW should join the INA as this was the best chance they had and that nearly all the Indian PW had already volunteered.

Then we heard a lecture from Lt Dhillon. He said that after Maj. Dara's speech there should be no doubt about what we ought to do. He also said that the INA would only fight in India and would obtain the Liberation of India. He said the INA would have help from the Japs and repeated what Maj. Dara had said.

About a month after these lectures, I volunteered for 'the INA and was posted to 7 BN Nehru Regt later known as 4 Guerrilla Regt, as a Pl. Hav. I was subsequently promoted to Sub-Officer in 'C' Coy 1 Bn (formerly 7 Bn)

In February 1944, the formation moved to Burma and in early October 1944 went to Myingyan. Whilst at Myingyan in November 1944 Lt Dhillon became the Regt CO taking over from Mahboob Ahmad.

About four or five days after his arrival I went to Regt HQ to be interviewed by him. He interviewed privately all the Officers of the Regt. When my turn came I saw that he had removed his beard and was not wearing a Pagri. He asked my name, Indian Army unit and rank and present job. I told him and that was all.

About November 1944, I became Pl. Comd. of 4 Pl. 'B' Coy 1 Bn. In February, my Coy moved to Myaungu. The Coy took up a defensive position on the Bank of the Irrawaddy. 'A' Coy was on our right and 'C' Coy on our left. I think there were Jap. troops on the right of 'A' Coy.

I received orders from my Coy Comd. Lieut Chaiki Chand. He told me that the enemy were on the other bank of the river and that we were to prevent them from making a landing on our bank.

On the morning of 14th February, there was heavy artillery fire from the opposite bank of the river and air raids by British aircraft. Then British troops landed on our right where the Jap. troops were. About 1400 hrs the Bn Comd. Hari Ram came and planted a white flag in my Pl. area. After this we all stood down and the next day we surrendered to the British.

Sucha Singh

Cross-examination by Shah Nawaz Khan:

Q.50. When Maj. Dara and Maj. Dhillon visited Jitra, was it only a PW Camp as were there some guard parties there?

A.50. There were no volunteers in the Camp, but there were guard parties doing guard duties in the Camp and on the aerodrome.

Q.51. How many guard parties were there?

A.51. I do not remember.

Q.52. Were the guard parties armed?

A.52. I did not see any arms.

Q.53. Was the sentry at the gate armed?

A.53. Yes, the Indian sentry had a rifle.

Q.54. What duties did the guard parties do?

A.54. They did drills.

Q.55. What duties did the PW who did not belong to the guard parties do?

A.55. They did fatigues.

Q.56. Who composed the guard parties?

A.56. Indian PW.

Cross-examination by Capt. P.K. Sahgal declined.

Cross-examination by Lt G.S. Dhillon:

Q.57. Do you remember that in my talk at Jitra, I said that those people who joined the INA must have courage to fight against the Japanese or any other nationality which comes in their way of achieving full independence for India?

A.57. Yes.

Q.58. Do you remember my asking you at the interview when I took over the Regt if you had any grievances?

A.58. Yes.

Q.59. Did you put forward any grievance?

A.59. No.

Q.60. Did I give you a chance to stay with the Regt or be sent to an area where there would be no fighting?

A.60. No.

Q.61. Do you remember my giving lectures on the 13th of each month?

A.61. No.

Q.62. Do you remember my giving lectures on the 13th of each month?

A.62. No.

Q.63. Do you remember my giving a lecture only to the officers of No. 1 Bn?

A.63. I was not present at that lecture, but heard about afterwards.

Q.64. What did you hear about it?

A.64. I do not remember.

This evidence being read over to the witness, he acknowledges the same to be correct.

Sucha Singh

M.P. Pariser,
Capt. E. Lan. R.
30th August 1945

PW 13—No. 14145 Sep. Kaka Singh, 6/1 Punjab (Sikh),
Having Been Duly Warned, States

I joined the Indian Army in February 1940. I went to Malaya, with my battalion, 6/1 Punjab, arriving at Singapore, on 25th January 1942. I remained in Singapore until it was surrendered on 15th February 1942.

I was kept in various PW Camps and in March 1943, I was in Taiping. I had not volunteered for the INA.

I know Lt G.S. Dhillon and now recognise him amongst the accused. I first saw him about March 1943, in Taiping. He was then wearing a beard and a Pagri, Sikh fashion. He delivered a lecture to about 150 PW non-volunteers. I was present and heard him. He was wearing on his shoulders a gold bar and a star.

He said he had lectured to the PW in Singapore and Jitra and they had all volunteered for the INA. He said that we too should join. He said that the INA was going to fight to drive the British out of India. He said that if we did not join we would get into trouble. He said we had nothing to fear for if the INA failed all the blame would fall on the Senior Officers and the other ranks would not be punished.

About 15 or 20 days after this lecture, we were all taken to Singapore under Jap. guard, where we volunteered for the INA.

Kaka Singh

Cross-examination by Capt. Shah Nawaz Khan:

Q.65. When you were at Taiping what sort of duties were you doing?

A.65. Cleaning the Camp and bringing firewood for the Japanese.

Q.66. Were the Indian PW at Taiping doing any guard duties or manning sentry posts on the road?

A.66. No.

Q.67. Did the Japanese make you do any drills and did they give you arms?

A.67. No.

Q.68. Before you were sent to Singapore, were you told where you were going?

A.68. I was told we were going to Singapore.

Q.69. At the time you left Taiping, did you know you were going to volunteer in Singapore?

A.69. No. I did not know until we detrained in Singapore.

Q.70. What made you volunteer when you got to Singapore?

A.70. There were some officers and clerks on the station who told us that if we did not volunteer, we would be sent to Jail.

Cross-examination by Capt. P.K. Sahgal:

Q.71. When did you go to Taiping?

A.71. About November or December 1942.

Q.72. Which was the last camp in Singapore in which you were kept before going to Taiping?

A.72. Buller Camp.

Q.73. Before you left Singapore for Taiping was your battalion asked to submit names of volunteers?

A.73. I do not know of that.

Q.74. Did any of your battalion join the INA before you left Singapore?

A.74. Only 2/Lt Ajmer Singh volunteered. He did so in Buller Camp.

Q.75. There were some men of your unit at Taiping. What had happened to the other?

A.75. They were left in Buller Camp.

Cross-examination by Lt G.S. Dhillon:

Q.76. Who was your Camp Commandant at Taiping?

A.76. A Jap. Officer. I do not know his name.

Q.77. Who was the most Senior Indian Officer there?

A.77. Jem. Singamani.

Q.78. To which unit did he belong?

A.78. I think he was in one of the Sappers and Miners Groups.

Q.79. Who was the most Senior Officer or NCO of the 6/1 Punjab at Taiping?

A.79. CHM Kartar Singh.

Q.80. Did he join the INA?

A.80. Yes.

Q.81. Which unit of the INA did you join?

A.81. Nehru Bde.

Q.82. Where was the Jap. Officer at Taiping living?

A.82. In a bungalow on the hill.

Q.83. Was there an Indian guard on this bungalow?

A.83. I do not know. I never saw the bungalow.

Q.84. Was the bungalow visible from the Camp where you were?

A.84. Yes.

Q.85. Was the accommodation allotted to the PW in Taiping sufficient for 150 men?

A.85. Yes.

This evidence having been read over to the witness, he acknowledges the same to be correct.

Kaka Singh

M.P. Pariser,
Capt. E. Lan. R.
31st August 1945



INA TRIAL: EVIDENCES

PW 14—No. 46060 Nursing, Sepoy, Abdul Hafiz Khan, 14 IGH, IAMC (Muslim), Having Been Duly Warned, States

I joined the Indian Army in January 1940. I was sent to Malaya in 1941 with a draft and posted to 12 IGH in Singapore. I remained in Singapore, until it was surrendered on 15th February 1942.

I volunteered for the INA in about September 1942. I was first posted to INA Hospital and in 1943 was transferred to 7 Bn Nehru Bde at Neesoon. The Bde eventually moved to Burma and in October 1944 moved to Myingyan. In December 1944, I was sent to Rangoon on duty. Major Rana was then the OC of the Bde. After about a month I returned and the CO was then Maj. Dhillon, whom I know and now recognise. About a month after I returned from Rangoon, my battalion was in the Popa Hill area.

One day, about 1600 hrs or 1700 hrs I saw B. Coy of 7 Bn paraded in a Nullah on Popa Hill. I saw four men of 8 Bn being escorted towards B. Coy. There were two men with them. The four men, whose names I do not know, had their hands tied behind their backs and the ends of the ropes were held by the two men escorting them. When they reached B. Coy the four men were ordered to sit down in a trench which they did and the ropes were then removed.

Maj. Dhillon, Capt. Lee, Capt. Mohammad Hussain and Lt Harbans Singh were present. Mohammad Hussain was OC 7 Bn. Capt. Lee was MO and Harbans Singh was Bde Adjutant.

I had to go to the hospital with some sick men. When I got back the four men were still in the trench. I heard Maj. Dhillon ask for volunteers from B. Coy for a firing squad. Three men volunteered, L/NK Hadayat Ullah, Sap. Kalu Ram and NK. Sher Singh. They were called out in front of the Coy. Sher Singh had a pistol, the other two rifles.

Maj. Dhillon then called one of the four men out of the trench. Maj. Dhillon then made a speech in which he said that the prisoner had attempted to escape to the British. The punishment for that, he said, was death and the prisoner was now going to be shot. Maj. Dhillon then gave the order to fire to L/NK. Hadayat Ullah. The prisoner was not blindfolded. He stood facing Hadayat Ullah who fired from the standing position from a distance of about 20 yds. The prisoner fell to the ground at the first shot.

The other three prisoners were called out to the trench, one at a time, and Maj. Dhillon made a speech similar to the first one, to each of the others. The second man was also shot by Hadayat Ullah. The third and fourth men were shot by Kalu Ram. All the four men were then lying on the ground. They were not dead and I saw they were still making small movements. Sher Singh then went forward and fired his pistol into each of them, twice in some cases. After this they made no more movements. Capt. Lee then examined each one of them and reported to Maj. Dhillon that they were all dead. Maj. Dhillon then waved towards the bodies and said, 'Throw those things away.' Harbans Singh gave orders for the bodies to be buried in the trench which was done.

After about 15 days I escaped and reported to Gurkha troops.

Abdul Hafiz Khan

Cross-examination of this witness declined by all three accused.

This evidence having been read over to the witness, he acknowledges the same to be correct.

Abdul Hafiz Khan

M.P. Pariser,
Capt. E. Lan. R.
31st August 1945

INA TRIAL: EVIDENCE

PW 15—No. 14077 Sep. Gian Singh, 6/14 Punjab (Hindu), Having Been Duly Warned, States

I joined the Indian Army in August 1936. I went to Malaya with my battalion and was captured by the Japs in Neesoon. I volunteered for the INA in about November 1942 and was posted to Azad Bde. After the INA was re-formed in 1943, I was transferred to the Nehru Bde then at Neesoon. The Bde eventually moved to Burma and in October 1944 was at Myingyan. At Myingyan the command of the Bde was taken over by Maj. Dhillon whom I now recognise amongst the accused. I belonged to B Coy 7 Bn. Shortly after Maj. Dhillon arrived, I heard him deliver a lecture to my battalion. He started off by telling us that our discipline was bad. He then told the Pl. Comds to submit nominal rolls of the men who were bad soldiers and those men would be sent away. After that any man who made mistakes would be sent to Rangoon Jail. He also said that we were getting near the time when we would be doing some fighting and he wanted us to make it a good fight.

In 1945, 7 Bn moved to Popa area. Here we dug trenches and at night time we did patrolling to find out the whereabouts of the British positions.

One day whilst 7 Bn was still in Popa B Coy of 7 Bn was paraded in a Nullah. The time was about 1600 or 1700 hrs. Four men were then brought before us. They were Jats from Bn but I do not know their names. Their hands were tied behind their backs. They were ordered to enter a trench which they did. Then Maj. Dhillon made a speech in which he said that the four men in the trench had attempted to escape to the British, but that they had been captured by a patrol and brought back. For this they had been awarded the death sentence and would not be shot. He then called for volunteers for the firing squad. Three men volunteered L/NK Hadayat Ullah, Sep. Kalu Ram and NK. Sher Singh. These men stepped out in front of the Coy. Hadayat Ullah and Kalu Ram had rifles and Sher Singh had a pistol.

Maj. Dhillon then called the first man out of the trench. He made a short speech in which he said that this man had been captured whilst trying to contact the British authorities and for this he was going to be shot. The man then said he had a request to make. Maj. Dhillon replied that no request would be listened to. He then gave the order to fire to Hadayat Ullah who then fired one round at the prisoner who fell to the ground. The other men were then called from the trench one at a time and shot. Hadayat Ullah shot the second man as well and Kalu Ram shot the third and fourth men. The four men were then lying on the ground, but were not yet dead. Maj. Dhillon ordered Sher Singh to fire his pistol into each of them. Sher Singh did this.

Maj. Dhillon then made a speech saying that in future if any man behaved as the four dead men had behaved he would get the same punishment.

The four bodies were then buried in the trench.

About two or three days after this B Coy moved to a new position some 8 or 9 miles from Popa. I do not remember the name of the place but it was near a dry tank. The Coy Comd was Gian Singh. He put the Coy into position with 5 and 6 Pls. forward (5 on the right and 6 on the left) and Pl. in reserve to the rear. We commenced to dig trenches. I was with 4 Pl.

One day after we had been in position for a couple of days, at about 1600 or 1700 hrs I heard Tommy gun fire from the forward Pls. I did not know what had caused it. Shortly after this I heard heavy firing including gun fire. I then saw two tanks approach the forward Pls. and machine gun and mortar fire started coming down. The firing lasted for about fifteen minutes. Then it died down and Gurkha troops commenced to rush to 4 Pl. The Pl. Comd. and most of the Pl. then ran

away, but I stayed with four other men. I tied my towel to my bayonet and waved it as the Gurkhas approached and I surrendered to them.

Cross-examination of this witness declined by Capt. Shah Nawaz and Capt. P.K. Sahgal.

Cross-examination by Lt G.S. Dhillon:

Q.86. When I lectured at Myingyan did I not say, in addition to what you have already mentioned, that any man who did not want to stay and fight should put his hand up?

A.86. No.

Q.87. Did I say that any man who, because of a grievance or through illness or any other reason, does not want to stay in the Regt should put his hand up?

A.87. Yes.

Q.88. What was the width of the Nullah in which the four men were executed?

A.88. About five feet.

Q.89. Was the Nullah straight or were there curves in it?

A.89. Straight.

Q.90. How far away was the end of the Nullah from the place where the Coy was paraded?

A.90. About 30 yds.

This evidence having been read over to the witness, he acknowledges the same to be correct.

Gian Singh

M.P. Pariser,

Capt. E. Lan. R.

31st August 1945

INA TRIAL: EVIDENCE

PW 16—No. 44822, Nursing Sepoy, Hanuman Parshad,
40 IGH (Hindu), Having Been Duly Warned, States

I joined the Indian Army on 9th July 1941. I went to Malaya with my unit, 40 IGH, arriving at Singapore on 29th January 1942. I was in Singapore when it was surrendered on 15th February 1942.

I joined the INA in April 1943 and was posted to 7 Bn of Nehru Bde as a nursing sepoy. The Bde eventually went to Burma and in October or November 1944 was at Myingyan. In November or December 1944 the command of the Bde was taken over by Maj. Dhillon, whom I now recognise amongst the accused. At Myingyan the Bde rested by day and dug trenches at night. I worked in the Bde central hospital as nursing L/NK.

In February 1945, the Bde moved towards Nyaungu. About 8 miles from there Capt. Gurdial Singh (Jem. IMD) who was OC of the hospital said that there would be fighting and ordered the hospital personnel to prepare the hospital to receive casualties. That same evening before the hospital could be got ready, we received orders to retire and we withdrew to Popa. The whole Bde moved to the Popa area where we remained for two or three days and then moved to Kyankpadaung where the hospital was set up. On about 15th March B. Coy of 7 Bn was sent to a dry tank about 30 miles from Kyankpadaung. I went with attached for nursing duties to Coy HQ. I had no arms or ammunition. When we arrived there we commenced to dig trenches near the tank which was about a furlong square. A Coy of 7 Bn HQ were near us.

On 16th March at about 1500 hrs I heard a burst of fire from a Tommy gun. The Coy Comd. Gian Singh asked who had fired. L/NK Hadayat Ullah replied he had fired at Gurkha patrol of 1

and 3 which ran away when he fired. After about half an hour 2 tanks with about 40 or 50 Gurkhas approached and attacked us. Our men began to run away. Gian Singh shouted 'Don't run away. Remain and charge.' He rallied the men. B. Coy replied to the Gurkha fire and the firing on both sides lasted for about five minutes. Then Gian Singh was killed. The Coy had consisted of about 90 men of whom 47 were captured. This includes the wounded. The rest of the Coy were either killed or they ran away. The Gurkha Bn was either 4/5 or 5/4, I do not exactly remember.

H. Parshad

Cross-examined by Capt. Shah Nawaz Khan:

Q.91. How did the Gurkhas come up? Were they carried on tanks or lorries?

A.91. I don't know. I was hiding in a trench.

Q.92. Was your Coy position subjected to artillery or mortar fire?

Q.92. Only small arms fire.

Q.93. Were you subjected to any aerial bombardment or machine gunning?

A.93. None.

Cross-examination of this witness by Capt. P.K. Sahgal and Lt G.S. Dhillon declined.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

H. Parshad

M.P. Pariser,

Capt. E. Lan. R.

31st August 1945

PW 17—Lt Col A.D. Mac Conachie, 4/5 Gurkha Rifles

Owing to the exigencies of the service the attendance of this witness cannot be readily procured. A written statement of his evidence purporting to be signed by him is read and marked 'ADM' and is attached. The accused do not wish this witness to be called for cross-examination.

M.P. Parisser

Capt., E. Lan. R.

Officer recording the Summary of Evidence

4/5th Royal Gurkha Rifles FF

SEAC 21/22 July 1945

'ADM'

1. I was commanding my Bn 4/5 Royal Gurkha Rifles, FF at the time of the action in area Kazaung (PF 3555), on 16th March 1945. My Bn was based some 6 miles South of Nyagngu. My patrolling area was E & W down the main Kyankpadaung Road, as far South as the Kyankpadaung plain where it was known that enemy were in some strength. My Bn with a Bty of Fd. Arty under Comd. had been operating for some 10 days before 16th March 1945. We had several actions and located both Jiffs and Japs.

2. On 15th March, my patrols reported the presence of over a hundred En. in Kazaung Area.

3. On 16th March, I took out to deal with the enemy, a mobile column of my Bn less two Coys Bty Fd. Arty and Squadron tanks (Gordons). On arrival about 1000 yds NNE of Kazaung (100 hrs) we were engaged by enemy. I ascertained that the En., in fact, held two positions:

(a) Kazaung itself, strength est. one Coy plus.

(b) A pond 800 West of Kazaung, strength est. one weak Coy.

4. I put in an attack at 1400 hrs in two phases:

- (a) One troop tank plus my guerrilla platoon on POND. When this was launched,
- (b) One Coy Inf. plus Sqd. tanks less troops, on Aberdeen. (Code name for Kazaung which proved unpronounceable to the Gordons.)

5. Phase one was stiffer than I estimated and I sent an additional platoon. The enemy were dug in with LMGs on the banks of a rectangular artificial pond. The action of the tanks on the East flank eventually allowed the Inf. to get on the North and West Bank. The enemy then were uncovered and my men secured the position suffering casualties: the Inf. flushing enemy from the pond towards the tanks, who covered them until the Inf. secured them prisoners.

6. Phase two was launched when phase one was under way. My Inf. were covered into the large straggling, tight-packed, village of Aberdeen. The enemy were well dug in under the houses and up trees. We suffered casualties and were unable to profit by the tanks who could not get into the village. After a struggle we secured one-half of the village. The time was now 1700 hrs and the tanks had to pull out. We set the rest of the village on fire and retired leaving a cordon of Inf. round the area to pick up stragglers.

7. I estimate the strength of the enemy to have been two coys plus. The proportion of Jif. to Jap. was about 3 to 1. From what I saw personally and what was reported to me by BOs, GOs and men (incl. Gordons), it seem that each enemy section had at least two Japs who fought as integral parts of the Sec. The Japs were not the NCOs of the Sec. Some of the sub-units in Aberdeen seem to have been all Japs.

8. I sustained six killed, three wounded and evacuated and about six wounded and remained on duty. These figures are written from memory. At the time of writing, my Bn is actively engaged. I do not have copies of my War Diary nor of the reports, I have already submitted on this action. The War Diary presumably is available in 2nd Echelon or in 5 RGR Regt Centre in Abbotabad. If there is any divergence between what I now write and I have said previously, the latter is more valid. I was visited by an officer of the JAG Dept soon after the action and under cross-examination, gave him full particulars.

9. Casualties inflicted on enemy were about 12 Jifs, 5 Japs killed, 35 Jifs Captured. These figures also are subject to check with previous statements.

10. The captured Jifs were paraded in front of me on the battlefield, on evening 16th March 1945. I made a nominal roll which was sent with the Ps of W. to the Bde cage in Nyaungu. In all cases, the captured Jifs were in possession of weapons. These weapons had recently been fired. The Jifs wore uniforms and had equipment. Their ammunition was half spent. In my opinion as a regular soldier of 15 yrs service there is no doubt, but that every one of the Jifs captured by me at Kazaung on 16th March 1945, had actively borne arms against my force in that action and were responsible for inflicting casualties including killed, on my Comd.

11. The captured Jifs were brought back to my base, fed, kept in a cage and sent on to Bde cage on 17th March 1945.

12. Officers of my Bn who served in that action and who agreed in my opinion, vide para. 10 are:

434	IA	Lt Col	A.D. Mac Conachie	(Comd Force)
908	IA	Major	D.E. Owen	(A Coy attacking Aberdeen)
3957	EC	Major	P.A.R. Beytagh	(In Reserve)
9488	EC	Capt.	M.L.J. Marshall	(Mortar Officer)
10990	EC	Lieut	E.I.M. Newton	(Sigs Officers)
5697	EC	Capt.	J.J. de Jonghe	(Adjutant)

10545	EC	Lieut	E.R. Buckley	(Comd Grla Pl. attacking Pond)
N.K		Major	Grant R.A.	2 Ind. Fd. Comd Arty
N.K		Major	Gordon	Comd the Gordon Squadron)

13. The GOS actively engaged were:

IA	5422	Sub. Major	Indrabiar	Thapa M.C.
IA	5904	Sub.	Tulbir	Thapa
IA		Sub.	Anaram	Thapa
IA	3437	Jem.	Kharjit	Gurung
IA	6202	Jem.	Padambehadur	Gurang

A.D. Mac Conachie

Lieut Col,

Commanding 4/5th Royal Gurkha Rifles. FF

IA 434 A.D. Mac Conachie

PW 18—No. 12961 Sep. Sadulla Khan 2/9 Jats (Muslim)

Having Been Duly Warned, States

I joined the Indian Army in December 1940. On 29th January 1942, I arrived at Malaya with a draft and was posted to 2/9 Jats. In Singapore where I remained until the surrender on 15th February 1942.

I volunteered for the INA in September or October 1943 and was posted to 7 Bn Nehru Bde. In April 1944, Nehru Bde went to Rangoon. Shortly after arriving in Rangoon I became ill and was in hospital in Rangoon for about ten months. On 2nd March 1945, I rejoined the Bde in the area of Popa Hill and went to 8 Bn 'C' Coy 7 Pl. Shortly after my arrival my Coy was sent to relieve 'A' Coy at a place the name of which I cannot remember. We commenced patrolling. Two or three patrols were sent out each day and patrols were sometimes sent out at night also. The object for these patrols was to find out the British and American positions. I went on one patrol.

After about 9 or 10 days 'C' Coy withdrew to the area of Bde HQ.

The Bde Comd. was Maj. Dhillon whom I recognise amongst the accused. On the evening of 17th March, Maj. Dhillon came and addressed my Pl. He said he was sending us off to take up a position with a Jap. Pl. He said we would obey the orders of the Japanese and that we would fight side by side with the Japs. He told us that if any of us attempted to escape we would be shot. He also said the 7 Bn had been in action at Taunggon and had lost 70/75 men. He said they had died for India and that we were to do the same, if necessary.

After the lecture my Pl. marched off with a Jap. Pl. to a village about 2 or 3 miles from Taunggon. Here we dug trenches. About 13.00 hrs on the following day there was heavy artillery fire on the village. The Japs ran away and so did all of my Pl. except for myself and three other men. We went forward and gave ourselves up to a Gurkha Pl.

Cross examination by Lt G.S. Dhillon:

Q.94. What was the name of your Pl. Comd.?

A.94. 2/Lt Administration. Ram.

Q.95. Did you see the Jap. Pl. Comd giving him my orders?

A.95. I did not.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

P.M. Pariser,

Sadulla Khan
Capt. E. Lan. R.
31 August 1945

PW 19—12850 Hav. Ganga Saran (Hybad) (Hindu),
Having Been Duly Warned, States

I joined the Indian Army in November 1935. I went to Malaya with my Unit, 4/19 Hybad in August 1939. After the outbreak of hostilities with Japan I was captured by the Japs at Kuala Lumpur on 20th January 1942.

I volunteered for the INA on 1st February 1944. I joined 5 Guerrilla Regt and was promoted Sub-Officer on 1st May 1944.

On 26th or 27th February 1945 I was in Popa. I was then Signals Officer with 1 Bn I was also QM My Bn Comd. was Capt. Jodh Singh. One day I was ordered by Jodh Singh to take out a fighting patrol consisting of 4 Pl. of B Coy. I refused to do so because I was already performing so many duties. Jodh Singh then placed me in arrest. The next day I was taken by Jodh Singh before the Regt Comd, Col P.K. Sahgal, whom I now recognize amongst the accused. Jodh Singh gave a crime report to Col Sahgal who read it out. The crime report said that I had refused to obey an order, that I was afraid to fight, and that I was anti-INA and pro-British. Capt. Sahgal then said there was no other sentence for me other than the death sentence. He said he was going to refer to the matter to the Supreme Command and on receipt of orders my execution would be carried out. He then ordered me to be placed in the Quarter Guard where I stayed for about 7 days. Whilst I was there Khazin Shah relieved Jodh Singh as my Bn Comd. Khazin Shah came to see me. He told me that I had been sentenced to death, but that he would try and get me released. He said that I would have to do good work in the future.

Khazin Shah then took me before Col Sahgal again. Col Sahgal said 'Your Commanding Officer has taken responsibility for you and so I am going to release you. Your CO will report on you and if it is a bad report again you will get punishment.' By this I understood him to mean that if my work was bad the death sentence on me would be carried out.

About the 28th or 29th March I was taken back to my battalion by Khazin Shah and about 3rd April I escaped and surrendered to the British.

Ganga Saran

Cross-examination of this witness declined by Capt. Shah Nawaz Khan.

Cross-examination by Capt. P.K. Sahgal:

Q.96. When your battalion was in Rangoon did you attend any lecture which I gave to the officers and men of your battalion?

A.96. I was sick at the time and heard no lecture.

Q.97. Did you attend any lecture delivered by me after your arrival in Popa?

A.97. I heard there was a lecture whilst I was in the Quarter Guard.

Q.98. What other unit beside 5 Guerrilla Regt was in Popa at the time when Jodh Singh brought you before me?

A.98. Nehru Bde and a few Japanese—also Div. HQ.

Q.99. Who was the most senior officer in Popa at that time?

A.99. You were.

Q.100. When Khazin Shah brought you before me did I say anything about forgiving your previous crimes?

A.100. Yes.

Q.101. Did I say that you were forgiven?

A.101. Yes.

Cross-examination of this witness declined by Lt G.S. Dhillon.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

M.P. Pariser,

Ganga Saran
Capt. E. Lan. R.
1 September 1945

PW 20—No. 83739 Sep. Mohd Ibrahim 853 Bridging Coy IE (Muslim) Having Been Duly Warned, States

I joined the Indian Army in January 1942. I went to Burma with my unit and was captured by the Japs in Taung Bazaar area in February 1944. I joined the INA on 7th or 8th January 1945 and was ultimately posted to 5 Guerrilla Regt then at Mingaladon. I was placed in 3 Pl. (Sub-Officer Abdullah Khan was the Pl. Comd.) of the Mortar Coy of 1 Bn. The Bn Comd was Khazin Shah.

On about 27th or 28th January the Bn moved to Popa Hill area. One day I went out with a party to buy rations. Abdulla Khan was in command and there were 16 and 17 men in the party. The party was armed with rifles and a Bren Gun. Some including myself, carried knives. We set out and came to a village, the name of which I do not know, where we bought Jagri. Abdullah Khan then ordered me together with two other men to remain in the village. He took the rest of the party forward to get further supplies. After about ten or fifteen minutes I heard the sound of rifle and Brn. Gun fire. It came from the direction in which Abdullah Khan had gone. The two men and myself stayed where we were. The firing lasted for 8 or 10 minutes. After it finished a messenger came from Abdullah Khan telling us to go with him and rejoin the rest of the party. We did so and carried the Jagri with us.

After going about 1000 yards we came to a village, the name of which I do not know, where the rest of the party was. I saw a small military car and the dead bodies of 2 BORs lying near it. One of our parties had a wound in his leg, but I do not remember his name. Nobody told me what had happened and I asked no questions. I was frightened. Abdullah Khan said that the British were very near so we had better withdraw. We all went back to the camp taking with us a Bren Gun and some packs that were in the car.

After a few days I escaped and reported to the British.

Cross-examination of this witness declined by all three accused.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

M.P. Pariser,

Capt. E. Lan. R.

1 September 1945

Mohd. Ibrahim



PW 21—No. 50982 Gunner Bhal Singh, HKSRA (Hindu)
Having Been Duly Warned, States

I joined the HKSRA in July 1941. I arrived at Singapore with a draft on 25th September 1941, and was posted to 14 Bty HKSRA. I was in Singapore when it was surrendered on 15th February 1942.

In February 1944 I volunteered for the INA and was posted to 5 Bty. In January 1945, I was transferred to 5 Guerrilla Regt and was placed in 3 Pl. Mortar Coy. 1 Bn 5 Guerrilla Regt was then at Rangoon. On 29th January 1945 1 Bn left Rangoon for Popa and I accompanied it.

On about 4th or 5th March 1945, I went out a patrol commanded by Sub-Officer Abdullah Khan, who told us that the object of the patrol was to make a recce of the area and also to buy foodstuffs. There were 15 or 16 men in the patrol. Rifles, bayonets, a Bren Gun were carried. Every man was armed with something. We set off at about 1300 hrs. After going some way we came to a Pagoda where we rested for 15 or 20 minutes, and then continued on our way at 1600 hrs. Before leaving Taungle Abdullah Khan bought some Gur.

After leaving Taungle Abdullah Khan divided the Patrol into two parties. One was commanded by Abdullah Khan and the other by Sep. Ibrahim. I was with Abdullah Khan's party. The two parties proceeded with Abdullah Khan's on the right and Ibrahim's on the left. There was about 150–200 yards between them. We came to within about 100 yds of a village. I do not know its name. Abdullah Khan then sent me to tell Ibrahim that he should bring his party forward on to a level with our's as his had dropped behind. After I had gone about 50 yds firing came from the village. I took cover where I was and signaled by hand to Ibrahim to bring his party forward. Then both parties fired back towards the village. After about a minute the firing stopped and I went back to rejoin Abdullah Khan. There I saw that one man, a Madrasi, had been wounded. We could see that 1 Jeep was in the village.

Abdullah Khan ordered me and a Madrasi to go into the village and see if anyone was still there. We went into the village. I saw a dead British soldier by the side of a Bren Gun. Another British soldier lying wounded in the right abdomen. The Jeep was empty except for some web equipment. I then signaled Abdullah Khan to come forward. He came and saw the wounded man who was in a bad way. The wounded man pointed towards his head and said 'shoot, shoot'. Abdullah Khan then shot him through the head with his rifle and the soldier died. Abdullah Khan then left a sentry on the two bodies and the rest of the party proceeded about 150 yds when another Jeep was seen in a Nullah. Abdullah Khan then sent five men to recce the area. I was posted about 50 yds from the Nullah to receive and message, the recce party might send back. At about 2100 hrs I went back and found that Abdullah Khan had sent back 7 or 8 men to Popa in a bullock cart with the web-equipment and the captured Bren Gun. The rest of the party then marched back to Popa and left both Jeeps in the village. On our return Abdullah Khan sent me and a man called Alappan to report the incident to Khazin Shah, the Bn Comd which I did. The two Jeeps were brought back later on the orders of the Bn Comd.

Bhal Singh

Cross-examination of this witness declined by all three accused:

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

M.P. Pariser,
Capt. E. Lan. R.
4 September 1945

Bhal Singh

PW 22—No. 149410 Capt. B. Fanshawe, MC 2 S. Lan. R.

Owing to the exigencies of the service the attendance of this witness cannot be readily procured.

A written statement of his evidence purporting to be signed by him is read and marked 'BE' and is attached to this summary.

The accused do not wish this witness to be called for cross-examination.

M.P. Pariser,
Capt. E. Lan. R.
Officer recording the
Summary of evidence
4 September 1945

BE

Statement by 149410 Capt. Fanshawe, MC 2S. Lan. R. Composition of Patrol:

- (a) First Jeep containing 1 NCO (Capt. Smith) and 3 BORs
 - (b) Wireless Jeep containing 1 Officer; 1 BOR; 2 IORs
 - (c) Third Jeep containing 5 BORs 1 Bren Gunner
- Total 1 Officer: 12 ORs

On the 4th March 1945, being part of a mobile column called 'Puffcol', I was sent out with the above-mentioned Patrol to investigate the villages of Ponzooyi and Konbawnit (the latter Summary No. 5). The area to be investigated was about 8 miles from where the column was harboured.

We left at approx. 0900 hrs and took with us in the Jeeps all our kit as the column was moving in our absence. We arrived at the first village at approx. 1200 hrs the village of Ponzogyi. He found it clear of the enemy and there were no reports of enemy activity. We proceeded to Kombawnit, arriving there at approx. 1530 hrs. We searched the village and found it empty, although it had obviously been vacated by the villagers only a short time before. Some of the villagers returned and informed us that a small party of the enemy had withdrawn to the South on our approach. I sent back this information on the wireless set, and said that I was sending out a small to confirm it. I sent out the patrol and they were away for about 45 minutes. They saw no signs of the enemy and the only information they received was further confirmation from the Burmese, that no enemy were in the vicinity.

As it was getting late (1630 hrs approx.) I decided we should return and I sent the first Jeep on its first bound. It was only on the outskirts of the village when an enemy LMG opened up. I realised that the main track was covered by fire, so I withdrew with my Jeep in a different direction. I learned later that the third Jeep was hit before it had a chance to move, and that the driver and Bren Gunner were killed.

My first thought was to get the Wireless Jeep to a safe place and call for help. We stopped by a knoll about 300 yds from the village. The signaler could not get the message through. I left the Jeep and told the BOR in the Jeep to find a way out and endeavour again to get the message through. Later I found out that they had gone about 500 yds when the Jeep became logged and it had to be left. The Signaler (IOR) unable to get the message through, stated he smashed the set before leaving it.

I went to find the first Jeep which also had to get off the road and had halted in the Nullah where it had to be abandoned. It was impossible to get it away because the enemy had it covered.

I met the Capt. and 1 BOR and told the former to try to collect the others, while I with the BOR, would go back to the village and see what had happened to the third Jeep. On the way there, I saw the enemy coming around our flanks, and there were also some between the village

and ourselves. All this time I could hear the Bren being fired in the village. I realised it was useless to get back, so I shouted to the Patrol to try to get out before they were completely cut off.

With the BOR I crawled back to the Nullah and hoped to collect as many of the patrol as possible. We saw no one, and then withdrew ourselves. We struck off to the North and soon picked up two of the patrol. We, ourselves, were picked up at 0200 hrs the following morning by another patrol. The others came in the same morning including 1 wounded from the third Jeep. It was then that I learnt that the driver and gunner of the Jeep had been killed. The following morning part of the column went back and burnt down the village, from which the villagers fled on our approach. We saw no enemy but found the Wireless Jeep wrecked in the Nullah. The wireless itself (or the remains) had been removed.

A statement similar to this was sent to 114 Bde 7 Ind. Div. a few days after the incident. We had arrested 2 Burmese in connection with the ambush, and the statement was required as evidence against them.

B.E. Fanshawe, M.C.
Captain

PW 23—No. A/1028 L/Nk Mohd Sayeed (Muslim) Ind. Sig. Corps, Having Been Duly Warned, States

I joined the Indian Army in February 1936. I was posted to Sig. Sec. of 8 Inf. Bde and went with the Bde to Malaya in 1940. I was captured by the Japs on the fall of Singapore on 15th February 1942.

I volunteered for INA in June 1943 and after some time was commissioned as 2/Lieut. I was posted at 5 Guerrilla Regt as Signals officer in January 1944. The Regt Comd. was Major Rodriques and Maj. Dhillon whom I now recognise amongst the accused was 2 i/c. The Regt was then forming and was training. It was then in Bidadari. The training was supervised by Maj. Dhillon until he was transferred in June 1944. Towards the end of 1944 the Regt commenced to move to Burma and it assembled in Mingaladon at the end of January 1945. At the end of December 1944, Lt Col Sahgal, whom I recognise amongst the accused became the Regt Comd. On the day of his arrival he delivered a lecture to all the officers of the Regt who were then present. I was there. He said he had wanted for a long time to command a regiment and that he had asked Netaji for this opportunity. He said that he was pleased to be able to announce that he had that day assumed the command of 5 Guerrilla Regt. He said that the Regt would soon be moving to the front line and that he wanted all the officers to do their work well. He said they should continue the good work which they had done so far and which had earned them the praise of every body. He said that if any officer had any troubles he should bring them to him.

About this time the name of the formation was changed to 2 Inf. Regt and a certain re-organisation was carried out. A Mortar Coy and an MG Coy was added to each Bn. Making a total of 5 Coys to each Bn, 3 of them being Rifle Coys. There was also an SS Coy in the Regt whose role was intelligence and infiltration.

One day at Mingaladon the Regt paraded. I was present. The Regt was inspected by Subhas Chandra Bose, who then lectured to the whole Regt. He said that the mistakes that were discovered in the previous fighting have now been put right. He said that previously every one had not always obeyed their officers and that in the future they must do so. He also said that very soon the Regt would move to the frontline.

After this Lt Col Sahgal called a Conference of Unit Comds. At which he asked for reports of deficiencies of equipment. He asked especially for a report from No. 1 Bn as that Unit would, he said, be moving soon.

After two or three days the first party moved and the rest of the formation followed at the intervals as ordered. By 25th March 1945 Regt was assembled in Popa area. The Bns were occupying defensive positions. After I arrived Lt Col Sahgal gave me a British 21 Wireless set which he said had been captured by his men. I also saw a Jeep which was being used by Lt Col Sahgal and by Col Shah Nawaz, the Div. Comd. I did not see either of those officers, using the vehicle, but the fact that they did so was common knowledge at Regt HQ I know Col Shah Nawaz and now recognise him as the accused.

At Popa the Regt and Bns were allotted Code numbers as follows:

HQ Inf. Regt (including the SS Coy and Sig. Pl) 545

No. 1 Bn 546

No. 2 Bn 547

No. 3 Bn 548

The code number 531 was allotted to HQ 2 Div. and No. 450 was allotted to Nehru Bde (4 guerrilla Regt). These numbers remained unchanged as long as I was the INA i.e., up to 1st April 1945.

On or about 28th March, Lt Col Sahgal called a Conference of the Bn Comds and Regt Staff Officers. I was present. He said that an attack was going to be put in on Pyinbin. He told us what Allied Forces and what equipment was in Pyinbin. Then on a map he indicated the Allied positions and also the plans where the units of 2 Inf. Regt would take up their positions. He gave orders for the units to move and also full administrative orders. He said he would be with Adv. Regt HQ at Seikteen and Rear Regt HQ would be at Popa. Later that day I heard from the Adjt Ghulam Mohammad, that the attack had been postponed and I detailed two orderlies to carry a message to Nos 1 and 3 Bn not to make any move.

On the following day at about 1000 or 1100 hrs another Conference was convened by Lt Col Sahgal. It was attended by all the units Comd and Staff Officers, I remember the following as being present:

Lt Col Sahgal	Comd 2 Inf. Regt
Maj. B.S. Negi	2 i/c Inf. Regt
Lt Ghulam Mohammad	Adj. Inf. Regt
2/Lt Bhupal Singh	IO Inf. Regt
Myself	Sigs. Officer 2 Inf. Regt
Lt Dhiwan Singh	S.S. Coy Comd
2/Lt Chian Singh	Adj. 2 Bn
Lt Khazin Shah	1 Bn Comd
Capt. Rajan	S.C. 2 Inf. Regt
Sub-Officer Kanaya	Asst QM

I do not remember if this Conference was attended by Capt. M.S. Bagri. Comd 3 Bn or if his Adj. Lt Kanhiya Singh, attended in his stead.

Lt Col Sahgal then gave out his verbal operation order as follows:

Information-Enemy—He pointed out on the map the positions of the Allied Forces and their strengths at Pyinbin, in the Welaung area and at other places which I cannot remember.

Own Troops—He pointed out the present positions occupied by the Regt. He also pointed out the positions occupied by Nehru Bde and said that a Jap. Bn was with Nehru Bde. He said a portion of Nehru Bde (I cannot remember how much) with the Jap. Bn would attack Pyinbin from the left

flank on the night 30th/31st March. As far as I can remember 2 Bn was not to take part in the attack.

Intention—He said we were to attack the Allied Forces in Pyinbin and then return.

Method—As far as I can remember he said that one or two Coys from 1 or 3 Bn would attack Pyinbin from the right flank whilst Nehru Bde and the Japs attacked from the left.

Administration—He gave our order about rations, transport and Medical Managements.

Inter-communication—One wireless detachment from my Sig. Pl. was ordered to accompany the Coy of 1 Bn to 'Bagri' Hill (this was a code name).

After the Conference, written operation orders were issued by Regt HQ.

On the night of 29th/30th March the troops moved into position. 1 Bn and Adv. Bde HQ went towards Seikteen. I went with them at the rear. About a mile from Seikteen, I came upon part of 1 Bn. They were halted. There was rifle and machine-gun fire about 1 or 2 furlongs in front of me and to the left. The Bde LO, 2/Lieut Aya Singh, then came and I asked him what was the cause of the firing. He told me to stay quietly where I was and that I would soon be told everything. I remained where I was and soon he came back and told me that the Adj. had ordered me to return to Legyi with the AT carts which had come up with Regt HQ. I went back to Legyi. Early on the morning of 30th March we moved into fresh accommodation in the Legyi area.

I was never told officially what had happened, nor was I told that the attack on Pyinbin was cancelled. The attack was not carried out. In the Legyi area were assembled Regt HQSS Coy, Sigs Pl. They were all there on the morning of 1st April 1945, when, together with five other men, I escaped and reported to the British.

Cross-examination of this witness declined by Capt. Shah Nawaz Khan.

Cross-examination by P.K. Sahgal:

Q.102. Do you remember lecture which I gave to your Sig. Pl. after you arrived in Popa, when you were present?

A.102. Yes.

Q.103. Did I say that in the front line there would be great hardships and death for officers and men and that any one who was physically or mentally incapable of facing these things should give me his name and I would arrange for him to go back to Rangoon?

A.103. Yes.

Q.104. Did I also say that anyone who wanted to go over to the Allies should give me his name when I would give him a safe conduct through my lines, but would not allow him to take his arms?

A.104. I remember that you said, we could go over to the Allies, but I do not remember about the safe conduct of the arms.

Q.105. Did you produce a Sikh Sepoy before me at Popa, who said he was frightened of the War?

A.105. Col Sahgal told me to find out if any men in my Pl. were physically unfit or frightened of staying on in the front line. I found two men, one was physically unfit and the other frightened of air raids. I took them to Regt HQ where they were interviewed by Lt Col Sahgal. I was not present at the interview. Later, I was required to send the men and their kits to Regt HQ under a guard. I do not know that happened to the men.

Q.106. Do you know how many groups there were in the SS Coy and what was the function of each?

A.106 As far as I know there were nine groups. I cannot say the function of each.

Cross-examination of this witness by Lt G.S. Dhillon declined.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

M.P. Pariser,
Capt. E. Lan. R.
3 September 1945

Mohammad Sayeed

PW 24—No. 10308. Hav Ghulam Mohammad 1/13 FF Rif.
(Muslim) Having Been Duly Warned, States

I joined the army in 1927 and went with my battalion 1/13 FF Rif. in April 1941 to Malaya. I was taken prisoner by the Japs with the rest of my battalion when Singapore was surrendered on 15th February 1942.

I volunteered for the INA in June 1942. I was absorbed in October and posted as QM to No. 1 Hy. Gun Bn on 5th January 1944. I was transferred to 5 Geurrilla Regt at Bidadari, as Adjt 2 Bn. The Regt Comd. was Lt Col Rodriques and Maj. G.S. Dhillon whom I now recognise amongst the accused, was 2 i/c. At the end of March 1944 the Regt moved to Ipoh and I became Regt Adjt. Maj. Dhillon here left the Regt.

The Regt moved to Burma and assembled in Mingaladon in January 1945. In about December 1944 Lt Col P.K. Sahgal, whom I now recognise amongst the accused arrived at Mingaladon and took over the Command of the Regt. On the day he took over he spoke briefly to all the officers of the Regt, who were in Mingaladon. He said he hoped that we would keep a high standard of discipline.

The Regt about this time changed its name to 2 Inf. Regt and it was reorganized to operate as an Infantry Regt. A mortar Coy and an MG Coy were added to each Bn making a total of five Coys per Bn, three of them being Rifle Coys. There were other changes as well.

Towards the end of January 1945, the Regt was visited by Subhas Chandra Bose. He inspected the Regt and thus spoke to us. He said that we were very soon going to the front and that we must keep up the honour of our country. He said that men, who were weak or cowards should stay behind. That is all I remember.

A day or two later Col Sahgal called a Conference of Unit Comds and Regt Staff Officers. He announced that the Regt would move to Kyankpadaung and issued instructions for the move.

On 28th January 1945, the first party of the Regt commenced to move. The rest of the Regt followed by parties at intervals of about a day. I moved at the end of 13th February with Col Sahgal and the RHQ. I was with them as far as Prome when they went on ahead to Popa, which had been substituted for Kyankpadaung as our destination. I arrived at Popa about 25th or 26th February. By about the third week of March, the Regt was assembled in Popa. HQ 2 Div. was in the Popa area also and Col Shah Nawaz Khan, whom I now recognise amongst the accused, was the Div. Comd.

As the units arrived and took up their positions they commenced patrolling. I saw the reports of the patrols before they were passed on to Div. HQ. One patrol lead by Sub-Officer Abdullah Khan had an encounter with an Allied Patrol and captured two Jeeps and a wireless set. One Jeep went to Div. HQ for the use of the Div. Comd. The other remained at Regt HQ and was used by Col Sahgal. I saw him using it.

The primary role of 2 Inf. Regt was to defend the Popa area. 1 Bn was sited about 1 mile NW of Popaywa, 2 Bn was about 1 mile west of Popaywa, 3 Bn was about 2 miles east of Popaywa. About 13th March 1945 Col Sahgal called a Conference of unit Comds and Regt Staff Officers.

He said that 2 Coys of No. 2 Bn were to go to Setsetyo and carry out a raid on Pyinbin. He ordered Banta Singh, Comd 2 Bn, to hold 2 Coys ready to move and also issued administrative instructions.

On 14th March 2 Coys of 2 Bn with Col Sahgal, Banta Singh the RMO and myself moved to Setsetyo. At about 2100 hrs on the following day the troops moved to Myene. From Myene two parties were made up, one under 2/Lt Jogindar Singh and the other under Lt Amar Chand. Two Japs Sections were attached to Jogindar Singh's party and one Jap. Section to Amar Chand's. Jogindar Singh's party was ordered to make a raid on Tounggon. Amar Chand's party was ordered to create a diversion. I remained at Myene with Col Sahgal, Banta Singh, Adv. Bn HQ and Adv. Regt HQ. I was with Col Sahgal when the two parties returned and reported to him. Jogindar Singh reported that he had reached Tounggon and found no opposition. Amar Chand reported he had contacted British Troops, who had fired a few rounds to which he had replied, with his pistol. He said that one of his men was missing.

Everybody then returned to Setsetyo and the following night we returned to Popa. An official report of this action was rendered to HQ Div. by Col Sahgal.

About 26th or 27th March 1945 at night time it was reported to me that 2 men from 1 Bn were in the quarter guard at Regt HQ for having attempted or for intending to escape. I was sick at the time and Lt Col Sahgal and the other officers of Regt HQ. were away. The men remained under arrest until Col Sahgal returned when, on the evening of 28th March, as far as I can remember, they were called before him. Khazin Shah, No. 1 Bn Comd, Major Negi, 2 i/c Bde and myself were present.

Khazin Shah read out the charge which was to the effect that they had attempted to desert or that they had conspired to desert. Lt Col Sahgal asked each of the men individually whether or not the charge was true. One of the men, Sep. Mohd Hussain admitted the charge. The other two did not. They were all sent outside to be interrogated by Aya Singh, Regt LO, who later reported that Mohd Hussain had confessed, but that the other two men denied the charges.

On 29th March they were again brought before Col Sahgal and in his presence Mohd Hussain confessed that he had attempted to escape and that he had instigated other men to escape. The other two men denied it. All three men were then sent before the Div. Comd. I was present at this interview before Lt Col Sahgal.

Major Negi and Khazin Shah accompanied the three men to Div. HQ.

At about 1400 hrs Khazin Shah came to my hut and told me that the Div. Comd had ordered Mohd. Hussain to be executed and had ordered the other two men to be released. Maj. Negi was present. Khazin Shah and Negi discussed whether the execution should be done under Bn Regt or Div. arrangements. I said that the matter should be referred to Lt Col Sahgal for a decision. A little later I again saw Negi who told me that Lt Col Sahgal had ordered that Mohd Hussain should be returned to 1 Bn for execution under Bn arrangements.

At 1600 or 1700 hrs Sardar Mohd Adj 1 Bn came to me having been sent by Khazin Shah to find out what Lt Col Sahgal's orders were. I told him that Mohd Hussain had to be returned to 1 Bn which was to carry out the execution and that if he had any doubts he should speak to Lt Col Sahgal or Maj. Negi.

A few minutes later I saw Sardar Mohd go past my hut followed by Mohd Hussain. Aya Singh was in the rear. He said he was going to 1 Bn to see some friends. I told him that as Regt HQ was moving that night he should come back quickly.

Some time that evening Aya Singh returned to Regt HQ. He reported to Lt Col Sahgal that Mohd Hussain had been executed and that he himself had ordered the firing squad to fire. I was present at this interview.

Mohd Hussain belonged to the Indian Army, but I do not know his Unit. He came from Hong Kong.

After the raid on Tounnggon, things were quiet for about two weeks. Normal patrolling activity took place.

About 28th March 1945 Lt Col Sahgal called a Conference of Unit Comds and Regt Staff Officers. I was present. Col Sahgal issued operation orders for a raid on Pyinbin in which the attack would be put in by the Japs and Nehru Bde. The role of 2 Inf. Regt being to block roads. He ordered the moves of the various Units of the Regt.

Later in the day these moves were postponed and a further Conference called for 29th March. It was attended by the same people as before.

Col Sahgal again issued his orders. 1 Bn and one Coy of 3 Bn were detailed to engage in the operation. He gave full and comprehensive orders. Written orders were subsequently issued by Regt HQ.

The operation was planned in two phases.

In phase 1 the Coy of 3 Bn was to advance to Kabyo where it was to report to a Jap. unit. It was to be in position at Kabyo by the night 29th/30th March. 1 Bn was to move to Seikteen to be in position there by the night 29th/30th March. Adv. Regt HQ was to be set up near Saikteen at the same time.

In phase 2 one Coy of 1 Bn was to block the roads in the Welaung-Seikteen Sector and another Coy of 1 Bn was to block the roads in the Welaung-Pyinbin area. One day less one Pl. was to carry our Guerrilla activities east of Pyinbin. The other two Coys of 1 Bn being the support Coys, i.e., Mortar and MMG were split up into detachments and attached to the three Rifle Coys. All this was for the night 30/31st March. At the same time the Coy of 3 Bn was to take part in the raid on Pyinbin and report at Seikteen on the following morning.

Administrative instructions regarding food transport and medical arrangements were issued to cover the two phases.

In conclusion Col Sahgal explained that this was not a full scale attack but merely a night raid with the object of inflicting the maximum number of casualties on the enemy.

On the evening of 29th/30th March at about 1000 hrs Col Sahgal left Popa with 2/Lt Bhopal Singh, the Regt LO a Jap. LO and Seps from 1 Bn. This party intended to recce the position to be occupied by the Coys of 1 Bn.

This party was followed by 1 Bn. I followed with Regt HQ and the transport, etc.

Before reaching Legyi, I saw the rearguard of 1 Bn sitting by the side of the road. As my place in the column was with the main body I pushed on. Just north of Legyi I came on the main body which had also halted. I learned that there had been firing from the front and that orders to halt had been sent back. I remained where I was for about two hours.

Then Col Sahgal came back and told me that his party was approaching Seikteen when it had been fired upon. He said that he had not believed that there were any Allied troops in that area and therefore thought that the fire was coming from some Jap. troops. He said his party had shouted out that they were INA troops and the Jap. LO had shouted 'Kikari Kikan' or something similar but the fire increased. He said they had been forced to withdraw and to abandon their transport. He said that his party had not suffered any casualties and that 1 Bn had put in an attack with one Coy and had recovered the transport. He said that everything in the transport had been recovered at the same time except for his bag and his map case. He gave me orders to take Regt HQ back to Legyi which I did. 1 Bn also returned to Legyi that evening.

1 Bn then took up defensive position around Legyi. There was also about a Coy of Japs in and around Legyi, but we had no contact with them. Once I saw Col Shah Nawaz in Legyi.

About 31st March Legyi was bombed by British aircraft. There was also heavy shell fire coming from south east of Seikteen which lasted for about two days. Numerous parties of men from 1 Bn escaped towards the British. These escapes began soon after we reached Legyi.

On the 1st or 2nd April there was great activity by the British forces. Reports came from both of our flanks that British tanks and lorries had been observed. Then I heard firing in our rear from the direction of our 'B' Echelon area which was about 4 or 5 furlongs away from Regt HQ. Then a report came that 'B' Echelon area had been captured.

Lt Col Sahgal then called for Lt Khazin Shah, OC 1 Bn and I was present at the interview. Col Sahgal told him to hold his reserve Coy on the 'B' Echelon area. Khazin Shah replied that two Pls. of this Coy had already escaped. Lt Col Sahgal then told him to thin out his defences and withdraw two Pls. to bring the reserve Coy up to strength. After some discussion Lt Col Sahgal ordered this Coy to be commended by Lt Ganga Singh assisted by 2/Lt Bhopal Singh, Lt Col Sahgal then ordered this Coy to put in an attack to recapture the 'B' Echelon area.

It took some time to get ready and it was dusk before the attack could commence. I saw Ganga Singh and his Coy moving towards 'B' Echelon area. About 15 to 20 minutes later Ganga Singh returned and reported to Lt Col Sahgal. He said that he had made his attack and that 'B' Echelon area was not clear. Lt Col Sahgal then pointed out to Ganga Singh the defensive positions to which the three Pls. of that Coy should be sent.

About this time Khazin Shah and many officers and men of 1 Bn escaped. That same night Ganga Singh, Aya Singh and 2/Lt Narindar Singh, Coy Comd of 1 Bn also escaped.

About midnight the same night Lt Col Sahgal told me that he had tried to speak to Col Shah Nawaz on the telephone, but had been unable to do so. He said he had, therefore, decided to withdraw to Popa on his own initiative.

At about 0300 or 0400 hrs in the morning we commenced to withdraw to Popa. At about 0600 hrs we reached Popa without encountering any opposition. Here we rejoined the rest of the Regt less those who had escaped and the Regt took up its former defensive positions. We remained here for 7 or 8 days and save for a couple of air raids by British planes, there was no activity.

On 9th April Lt Col Sahgal called a Conference of Unit Commanders and Regt Staff Officers. I was present. Lt Col Sahgal said that INA troops were going to withdraw from the Popa area and that 2 Inf. Regt would take up new positions at Taungwingyi on about 14th or 16th April.

On the evening of 12th April, Lt Col Sahgal issued orders that the withdrawal would be carried out that same evening and that 2 Inf. Regt had to be clear of Popa by 2200 hours. The withdrawal was carried out in two columns. Regt HQ and 2 Bn composing one column and 1 and 3 Bns under the command of Capt. Bagri comprised the other. The columns moved off separately. On the way we heard that Taungwingyi was occupied by the Allied forces, so my column changed its direction and went towards Prome. I do not know what happened to Capt. Bagri's column. I never saw it again.

On the night of 26th/27th April, my column reached Myew. This was about 4 miles north of Allanmyo. Lt Col Sahgal ordered me to go forward to Allanmyo and to contact the Japs there to get full information for the continued withdrawal of our column through Allanmyo. He told me that he would start off from Myew with the column at 2100 hrs and that I should rejoin the column as it passed through Allanmyo.

I set off and when I was about 2 miles from Allanmyo, I saw Jap. guns exchanging fire with British batteries. I did not go any further forward. I then saw 2/Lt Joginder Singh who was in that area with his Coy. He returned with me to Regt HQ. I reported to Lt Col Sahgal that Allanmyo was occupied by Allied forces and that there was no possibility of continued withdrawal in that direction. This was not true, but I said it in order to hasten a surrender. Lt Col Sahgal then issued

orders that the column would return to Magyingan from which we had just come. We reached Magyingan and posted piquets.

On the morning of 28th April, Lt Col Sahgal called a Conference of all officers from the rank of Sub-Officer upwards. Lt Col Sahgal told us that the main road to Prome was blocked. He then said there were three courses open: (a) to attempt to drive through the British lines, (b) to become civilians and (c) to surrender. He asked for the frank opinion of all officers. He did not express his own opinion. After consideration it was unanimously decided to surrender.

Lt Col Sahgal then issued orders for the piquets to be withdrawn and for the troops to be informed of the decision to surrender, so that they could not fire on Allied Troops. He then wrote a note and gave it to Banta Singh and told him to try and get it to the Allied Forces.

About 3 hrs afterwards Allied Forces arrived and Lt Col Sahgal went out to meet them and surrendered.

Lt Col Sahgal ordered our troops to concentrate in one place which they did. About 20 minutes after the surrender one round of either shell fire or mortar fire fell in the midst of our troops. There were about 40 or 50 killed and wounded. Some Gurkha Troops were standing near and I know that a Gurkha Officer was killed or wounded.

Cross-examination of this witness declined by Capt. Shah Nawaz Khan.

Cross-examination by Capt. P.K. Sahgal:

Q.107. When I took over the command of the Regt did I not warn the officers and men of the Regt that great hardship and danger lay ahead of them and that if anyone found himself physically or mentally unfit to face them, he should tell me so truthfully and that no disciplinary action would be taken against such a person and that arrangements would be made to leave him behind in Rangoon?

A.107. Yes, you did.

Q.108. Were there any persons, who were transferred from the Regt because they showed unwillingness to proceed to the front?

A.108. Yes, there were some in Rangoon, who were returned to the Reinforcement Group without any disciplinary action being taken against them.

Q.109. Did Subhas Chandra Bose in his speech to the Regt say that anyone, who was unwilling to go to the front should give him name to the Regt Comd. and he would not be taken to the front?

A.109. Yes.

Q.110. As each unit of the Regt arrived in Popa, did I not tell the officers and men of that unit that anyone, who was unwilling to face the hardships and dangers of the front line, should let me know and I would arrange for him to go back to Rangoon and that no disciplinary action would be taken against him?

A.110. Yes.

Q.111. Do you remember if two of the Sigs Pl. were sent before me, one for being physically unfit and the other for being frightened of aeroplanes?

A.111. Yes.

Q.112. Do you remember if any arrangements were made for them to go back to Rangoon?

A.112. Yes.

Q.113. Was any disciplinary action taken against them or were they put under a guard?

A.113. No.

Q.114. As the units arrived in Popa did I not tell the officers and men of the unit that if there was anyone, who wished to go over to the Allies, he should let me know and that no disciplinary

action would be taken against him and that arrangements would be made for him to go safely past our sentries?

A.114. Yes. You did. As far as I can remember you said the men should not disappear in ones or twos, but should go over in one single body.

Cross-examination of this witness declined by Lt G.S. Dhillon.

This evidence having read over to the witness, he acknowledges the same to be correct.

Ghulam Mohammad

M.P. Pariser,
Capt. E. Lan. R.
3rd/4th September 1945

PW 25—No. 4381 L/NK Sardar Mohammad, 1 Hy. AD Regt HKSRA (Muslim), Having Been Duly Warned, States

I joined the Indian Army in December 1938. I went to Malaya in January 1939 in a draft and on arrival was posted to 1 Hy. A.D. Regt. HKSRA. I was with my unit in Singapore, when Singapore was surrendered to the Japs on 15th February 1942.

I volunteered for the INA in August 1943 and was commissioned in December 1943 as 2/Lieut. I was posted to 5 Guerrilla Regt. I moved with the Regt to Rangoon arriving 22nd January 1945. I went to Popa with the last party of the Regt arriving there on 24th March 1945. I was appointed Adjt of 1 Bn. The Bn Comd was Khazin Shah. The Regt Comd. was Lt Col Sahgal whom I now recognise amongst the accused. The Regt LO was Aya Singh. 5 Guerrilla Regt (also known as 2 Inf. Regt) was comprised in 2 Div. The Div. Comd. was Col Shah Nawaz Khan, whom I now recognise amongst the accused.

On 27th March 1945, Sub. Khazin Shah sent for five men of the Bn to be brought to Bn HQ. The men were Sep. Mohd Hussain, Sep. Alla Ditta, Sept. Jagiri Ram, L/NK Mohd. Shaffi and Sep. Gobru Singh. I knew Mohd Hussain. He belonged to HKSRA. When the men arrived Khazin Shah told me that these men had been conspiring to escape from the INA to join the Allied forces. He then commenced to interrogate them. I was present all the time. During the interrogation I saw him hit the men with a cane and also slap them on their faces with his hand. At about 1300 hrs the men were sent back to their Coys. They had not admitted the charge. At about 1800 hrs Khazin Shah told me that he was going to Regt HQ to discuss the case of these five men. Later that evening Khazin Shah returned and took Mohd Hussain, Jagiri Ram and Alla Ditta to Regt HQ. Mohd. Shaffi and Gobru Singh did not go, because the charges against them were dropped. Khazin Shah returned without the three men and told me to send their kit to Regt HQ as they had been detained there and were in the Quarter guard. On 29th March Khazin Shah returned and told me that Mohd Hussain had been taken before the Div. Comd. and had been sentenced to be shot. He told me that Alla Ditta and Jagiri Ram had been released. He then sent me to Regt HQ to enquire from the Regt Adjut Ghulam Mohd whether Mohd. Hussain was to be executed under Regt or Bn arrangements. If he was to be executed by the Bn then I had to bring him back with me. I was also instructed to bring back a Sep. Ibrahim who had been released from the Quarter Guard at Regt that day. I went at about 1800 hrs and saw Ghulam Mohd who told me that it was Col Sahgal's orders that Mohd Hussain should be taken back to the Bn and shot that same day.

Ghulam Mohd then ordered the Guard Comd to release Mohd Hussain to me. I went back to the Bn with Mohd Hussain and Ibrahim. Aya Singh accompanied us. He told me that it was his duty as LO to be present when Mohd Hussain was shot.

When I got back I told Khazin Shah the orders I had received at Regt HQ and he told me to make the necessary arrangements for the execution. I asked what arrangements. He told me to detail then men with picks and spades to dig a grave which I did. He then called for Bhola Singh, Bn QM and pointed out to him where the grave should be dug. Bhola Singh was ordered to supervise the digging of the grave. Khazin Shah then ordered me to take Mohd Hussain on to the Bank of the Nullah near where the grave was being dug. Mohd Hussain, Khazin Shah, Aya Singh, myself and one or two others all went to the bank of the Nullah. Khazin Shah then ordered me to have Mohd Hussain tied to a tree and to have his eyes bound. I passed on this order to Govind Singh, Bn Hav. Maj. and two Sepoys who carried out the order. Khazin Shah then called for two men with rifles from the fatigue party who were digging the grave to form the firing squad. Two men came forward, a Sikh and Madrassi, and stood about 8 to 10 yds in front of Mohd Hussain. Khazin Shah then ordered Jagiri Ram, who was standing by his side, to go and stand with the Sikh and the Madrassi. Jagiri Ram had a rifle with him. Khazin Shah then ordered Aya Singh to give the fire order. Aya Singh hesitated for few a few seconds. Then Khazin Shah again ordered him to give the fire order. Aya Singh then gave the order 'Kneeling position' followed by 'Fire'. On the order 'Fire' the three men of the firing party, Jagiri Ram, the Sikh and the Madrassi, each fired one round. Mohd Hussain was shot dead.

Khazin Shah then ordered me to call Sub-Officer Abdul Hakim to attend the burial ceremony. I gave the order to Abdul Hakim. The battalion moved that same night and no casualty report was ever made.

I escaped at Legyi on 3rd April 1945 and reported to the British.

Cross-examination of this witness declined by all three accused.

This evidence having been read over to the witness and interpreted he acknowledges the same to be correct.

Sardar Mohd

M.P. Pariser,
Capt. E. Lan. R.
15 September 1945

PW 26—No. 5159 Abdul Haq, 4 Med. Bty., HKSRA, (Muslim) Having Been Duly Warned, States

I joined HKSRA in January 1939. In March 1939, I was sent to Hong Kong where I was captured by the Japs on 25th December 1941. For about 2 years I was employed on fatigues in Hong Kong. In December 1943, I was sent with a draft of about 400 other POW to Singapore, where we arrived in January or February 1944. I joined the INA and was posted to 1 Bn 5 Guerrilla Regt then at Bidadari.

In March 1945, I was with 1 Bn in the Popa area. The Bn was located in a Nullah to the west of Popa. On about 17th March Allah Ditta and Mohd Hussain told me that they were going to try to escape. I knew Mohd Hussain before we joined the INA. His number was 8011 and he belonged to 965 Bty HKSRA. We came together from Hong Kong to Singapore.

At about 1600 or 1700 hrs on approximately 18th March Mohd Hussain, Jagriri Ram, Allah Ditta and another man, whose name I do not know, were sitting together in the Nullah. I walked past them and heard them discussing the question of escape. Then a Madrassi, who was orderly to Khazin Shah, came near the four men to drink some water. He went to Khazin Shah who was about 25 yds away and told him that four Punjabis were trying to escape and to join the Allied

forces. I heard this. Khazin Shah then came towards the four men but only Mohd. Hussain was still there, the other having gone back to their Coys. I heard the conversation. Khazin Shah asked Mohd Hussain what he had been talking about. Mohd. Hussain replied that they had not been talking about any thing. Two Madrassis were standing by and Khazin Shah ordered them to tie Mohd Hussain's hands which they did. Khazin Shah then took him to Bn HQ which was in the open air under some trees. I saw Khazin Shah beat Mohd. Hussain with a stick.

About 29th March, I was sent to the Supply Depot to draw vegetables. The Supply Depot was near Bde HQ I saw that there was a meeting of officers in progress at Bde HQ I saw Khazin Shah, Banta Singh, Bagri, Chain Singh and Col Sahgal, whom I now recognise amongst the accused. I saw Khazin Shah stand up and start to speak. I stayed and I listened. I heard him say that Mohd Hussain belonged to his Bn and that Mohd Hussain should, therefore, be punished by him. He said, he intended to punish Mohd Hussain before all the Bn. He said that if Mohd Hussain were not handed over to him for punishment under battalion arrangements, he did not wish to remain in command of the Bn.

That evening at about 1800 hrs I saw Mohd Hussain returning to 1 Bn. He was accompanied by Aya Singh, Allah Ditta and 2 Madrassis. I spoke to Mohd Hussain and asked him what had happened. He said that he did not know. He said, there had been a meeting of officers but that he did not know whether he was going to be released or punished. Aya Singh took the two men to Bn HQ I heard Khazin Shah order five runners to go to the Coy and to tell the Coy Comds that all men not working were to report to Bn HQ. About 200 or 300 men paraded. Mohd Hussain sat on a stone. Khazin Shah then ordered Aya Singh to put a bandage around Mohd Hussain's eyes. Khazin Shah then told the parade that Mohd Hussain had tried to escape and that he was going to be shot as punishment. Khazin Shah then told Jagiri Ram that as he had been a friend of Mohd Hussain and had been going to escape with Mohd Hussain, he would be one of the firing party. Jagiri Ram refused. Khazin Shah then seized a rifle from one of the Madrassis and pointed at towards Jagiri Ram, said that if Jagiri Ram did not make one of the firing party, he would be shot. Jagiri Ram then agreed. Two Madrassis, civilians, made up the firing party.

Khazin Shah ordered Aya Singh to give the fire orders. Mohd Hussain asked to be allowed to speak to a fellow villager, but Khazin Shah scolded him and refused to allow him to do so.

Aya Singh gave the fire order. The firing squad fired one volley and Mohd Hussain was immediately killed. The body fell down into a Nullah.

After this Khazin Shah made a speech to everyone, who was there. He said that anyone who committed the same offence, that Mohd Hussain had committed would get the same punishment. He said the Punjabis, especially the Punjabi Mussalmans, were all escaping. He said the Tamils and Mussalmans, were not. He threatened the Punjabis with imprisonment. He said that he would give his daughter to the best worker in the INA, but that he would dishonour the sisters of the deserters. This was Punjabi abuse. After that the body was buried. Two or three men put the body into blanket and carried it to the grave.

Cross-examination of this witness by Capt. Shah Nawaz Khan declined.

Cross-examination by Capt. P.K. Sahgal:

Q.115. To which Sub-Unit of 14 Bn did you belong?

A.115. HQ MG Coy.

Q.116. In the Popa area were all the Coy gathered together or were they spread out?

A.116. Two Coy were in a Nullah and the other Coy were outside.

Q.117. Was there not a main road running through the Bn position?

A.117. There was a fair weather road.

Q.118. Were there not Coy position on the hills on both sides of this road?

A.118. The three Coys which were outside the Nullah were at the positions on the hills.

Q.119. What was the approximate frontage occupied by your battalion?

A.119. Approximately 1-1/2 miles.

Q.120. On 29th March when you went to draw vegetables did you go by yourself or were you in a fatigue party commanded by an NCO?

A.120. I was in a party consisting of QMP Bisharat Khan, N.K. Kartar Singh and five sepoy including me.

Q.121. Was this the first occasion on which you had gone on this duty or had you done it before?

A.121. I had done it before.

Q.122. What was the distance between Regt HQ and the place where the vegetables were issued?

A.122. The place where vegetables were issued changed daily, but on 29th March, it was about 50 yds from Regt HQ.

Q.123. Was Regt HQ in an open place or was it in huts?

A.123. Some Regt HQ personnel were in a couple of houses which had been damaged by air raids, others were in huts and the remainder in the open.

Q.124. Is it a fact that Regt HQ was sited in a Nullah?

A.124. It was in a depressed place between two hills on the bank of a Nullah.

Q.125. How long was the depression which Regt HQ was occupying?

A.125. Approximately three furlongs.

Q.126. Was the Officers meeting, which you saw on 29th March being held in a building or in the open air?

A.126. Inside a hut.

Q.127. How far away from the hut were you?

A.127. About 30 yds.

Q.128. Did you recognise Khazin Shah by his voice or did you see him?

A.128. By his voice and I also saw him once.

Q.129. At that time where was the rest of your party?

A.129. They were at the place where the vegetables were issued.

Q.130. Did QMH Bisharat Khan not ask you why you had stayed from the party?

A.130. He did not.

Q.131. Is it a fact that a number of Allied aeroplanes used to come over Popa?

A.131. Yes.

Q.132. Is it a fact that large bodies of troops were not allowed together because of air raid precautions during hours of day light?

A.132. Yes.

Q.133. About what time was the execution of Mohd Hussain carried out?

A.133. About 2000 hrs.

Q.134. Was this Tokyo or Burma time?

A.134. Tokyo time.

Cross-examination of this witness by Lt G.S. Dhillon declined.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

Abdul Haq

M.P. Pariser,

Capt. E. Lan. R.

5 September 1945

PW 27—No. 39941 NK. Kartar Singh, 21 Bty 22 Mtn Regt IA
(Sikh) Having Been Duly Warned, States

I joined the Indian Army in June 1934. I went to Malaya with my Unit 21/22 Mtn Regt. I was in Singapore with my unit when Singapore was surrendered on 15th February 1940.

I joined the INA in December 1942 and was posted to 4 AA Bty in January 1945. I was transferred to 1 Bn 6 Guerrilla Regt in Rangoon. On 29th February 1945 my Bn moved to the Popa area.

I knew Mohd Hussain. He belonged to C. Coy. One evening in March I was lying on my bed. Next to me was Mohd Hussain. Khazin Shah came up and accused Mohd Hussain of trying to escape. Mohd Hussain denied it. Khazin Shah then ordered some IORs to escort Mohd Hussain to Bn HQ.

On 29th March 1945, at about 1730 or 1800 hrs, I saw Aya Singh bring Mohd. Hussain into a small depression near Bn HQ. Shortly afterwards Khazin Shah and two Madrassis entered the depression. I was standing on high ground about 30 yds away and I saw everything. Mohd Hussain was blindfolded by Aya Singh and a Madrassi. I did not see him being tied up. Khazin Shah then told the two Madrassis and Jagiri Ram that they would form a firing party to shoot Mohd Hussain. All three men refused to do so, but Khazin Shah told them he was giving them an order which they would have to carry out. They then agreed. Khazin Shah then told Aya Singh to give the fire order. Aya Singh then ordered 'Aim' and followed with the order 'Fire'. They fired a volley of one round each and Mohd Hussain was killed immediately. Some men were assembled near this place and Aya Singh ordered them to go away. The body was moved on a stretcher under a blanket. It was carried about 300 yds away and then buried.

Cross-examination by Capt. Shah Nawaz Khan:

Q.134A. Do you know who was incharge of the party which carried the body to the grave?

A.134A. Sub-Officer Ghelar Singh was with the party. I do not know who was incharge.

Q.135. Was Sub-Officer Abdul Hakim in the Party?

A.135. I do not know Abdul Hakim and cannot say if he was there.

Cross-examination by Capt. P.K. Sahgal:

Q.136. Did Khazin Shah threaten in any way Jagiri Ram or the Madrassi when they refused to fire?

A.136. I did not see or hear any threats.

Q.137. Did Khazin Shah make any speech in that place either before or after Mohd Hussain was shot?

A.137. I did not hear any.

Q.138. Before he was shot did you hear Mohd Hussain make any special request?

A.138. I did not hear any.

Cross-examination of this witness by Lt G.S. Dhillon declined.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

M.P. Pariser,
Capt. E. Lan. R.
5 September 1945

Kartar Singh



PW 28—No. 39742 GNR. Puran Singh, 21 Bty, 22 Mtn, Regt (Sikh), Having Been Duly Warned, States

I joined the Indian Army in April 1934. I went to Malaya with a draft in November 1940 and on arrival was posted to 21/22 Mtn Regt. I was in Singapore with my Unit when it was surrendered to the Japs in February 1942.

I volunteered for the INA in December 1943. I was posted to 4 AA Coy. In January 1945, I was transferred to 5 Guerrilla Regt. The Regt Comd. was Col Sahgal. I cannot recognise him. I remember seeing him on only one occasion and it was then dark. I was in 3 Bn Comd. was Capt. Bagri. In Rangoon before the Regt moved to the front I heard a lecture from Subhas Chandra Bose. He said that if officers were seen trying to escape the sepoys should shoot them and if the sepoys tried to escape then they should be shot by the officers. He also said that we were not to think that those who had escaped were still alive, because the British had shot them.

One evening in Popa I was told by my Bn Comd. that we were to hear a lecture by Col Sahgal. Col Sahgal delivered the lecture, but it was dark and there were a lot of trees, so I could not see his face. He said that the 4 Majors who had escaped had been shot by the British in Delhi. He said that the propaganda pamphlets, which had been dropped by the British and supposed to be signed by Mohd Sarwar were forgeries, because Mohd Sarwar had been shot by the British. He said that anyone caught reading these pamphlets would be shot and that anyone caught trying to escape would be shot. He said that four men of the Nehru Bde who had tried to escape and been recaptured had been shot. He also said that if anyone did escape to the British then the British would shoot him.

I escaped to the British on 14th March 1945.

Cross-examination of this witness declined by all the three accused.

This evidence having been read over to the witness and interpreted, he acknowledges the same to be correct.

Puran Singh

M.P. Pariser,
Capt. E. Lan. R.
6 September 1945

PW 2 Recalled—Lieut D.C. Nag Recalled States:

Exhibit XXX

I produce as Exhibit XXX Indian National Army Administrative Institutions, dated 20th February 1943, signed by M.Z. Kiani, those signature I recognise. In the Annexure to Instruction No. 4 following appointments amongst other are shown:

Operations Branch	Lt Col Shah Nawaz
M.S.	Major Sahgal
'Q'	Major Dhillon

Exhibit YYY

I produce as Exhibit YYY Bureau Orders by Lt Col J.K. Bhonsle, dated 14th May 1943, signed by C.J. Stracey, whose signature I recognise. Order No. 71 deals with the adoption of the Japanese Calendar.

Exhibit ZZZ

I produce a Exhibit ZZZ Azad Hind Fauj (INA) Gazette No. A/22, dated 2nd November 1943, signed by Capt. P.K. Sahgal, whose signature I recognise. Serial No. 104 shows the transfer, amongst others, of Lt Col Shah Nawaz Khan from HQ Supreme Command to No. 1 Grla Regt w.e.f. 12th October 1943.

Cross-examination of this witness declined by Capt. Shah Nawaz Khan.

Cross-examination by Capt. P.K. Sahgal:

Q.139. Under the INA Act what are the powers of the Supreme Comd., INA?

A.139. Unlimited powers.

Q.140. After the desertion of 4 senior officers from 2 Div. did the Supreme Comd. INA give power to award the death sentence to Div. Comds in the fields?

A.140. Yes. He did more than that. He gave powers to sepoys to shoot their officers if they (the officers) were attempting to escape.

Cross-examination of this witness declined by Lt G.S. Dhillon.

This evidence having been read over to the witness, he acknowledges the same to be correct.

D.C. Nag

M.P. Pariser,
Capt. E. Lan. R.
6 September 1945

INA TRIAL: EVIDENCES

PW 29—Lt Col J.A. Kitson 4/2/GR

Owing to the exigencies of service the attendance of this witness cannot be readily procured.

A written statement of this evidence purporting to be signed by him is read and marked 'JAK' and is attached to this summary. The accused do not wish this to be called for Cross-examination.

M.P. Pariser,
Capt. E. Lan. R.

Officer recording the summary of evidence

6 September 1945

Lt Col JAK Officer Commanding 4/2 Gurkha Rifles, states:

On 28th April 1945, I was in command of a Bn Group which was moving from Sinbaungwe to Yahang. Whilst passing Alean, I received information that there were some 600 'Jiffs' about a mile away at Magyan. I accordingly issued orders for the encirclement of these 'Jiffs'. When we reached the 'Jiff' position they fired upon 'D' Coy which had advanced on the left flank and had halted. I then ordered 'C' Coy to advance which they did so. I was on higher ground and could see the 'Jiffs' engaging 'C' Coy by fire.

I next received a communication from 'D' Coy that the 'Jiffs' had surrendered. This happened about half-an-hour after the initial firing. I then ordered 'C' Coy to cease fire. I went forward to 'D' Coy's position and there saw the OC 'D' Coy Maj. N. Lockey, MC in conversation with the OC of the 'Jiff' Regt whom I can recognise. I spoke to him and asked his name and unit in the Indian Army. He said his name was Sahgal; that he had originally been in the 5/10 Baluch Regt and that

he was an Actg Capt. Arrangements were then made to disarm the 'Jiffs' who numbered about 500 plus 45 officers approx. There were no Japs encountered during this engagement. The 'Jiffs' suffered at least two fatal casualties which I saw myself. These were shot by 'C' Coy while trying to escape. Some 40 were wounded when a 'Jiff' accidentally exploded a grenade when they were being disarmed. One of my Bn was severely wounded by this grenade also. No other casualties were suffered by my Bn.

About 1700 hrs the same evening I talked to Capt. P.K. Sahgal. He said he had been through IMA. I asked him why he had become a 'Jiff' and he said he would rather not discuss that. I asked him if he was at enmity with the British and he said that he had several British Officers amongst his best friends, but that he was not in favour of the British system of administration in India and that he had fought for what he considered to be right. There was no pressure of any kind on my part during our conversation and he answered my questions or made statements quite voluntarily. I asked him numerous questions as to the previous movements of his unit which was No. 2 Inf. Regt. I did so in order to ascertain as a matter of interest whether my Bn had had any previous encounters with his Unit. He had not been in contact with us, but he said that his unit had been fighting around Mound Popa. When he made this statement he appeared quite proud of the fact that his unit had actually been in action. I asked him what his plans had been just previously and he said he had tried to retire to Pegu, via Allannyo, but that Br. troops were already there. He then had intended to cross to the west bank of the Irrawaddy by boats prior to continuing his retreat south. He had been unable to get sufficient boats at Hagyan. He expressed surprise that we had been able to follow him up so quickly.

The following arms were collected:

- 9 MMGs
- 11 LMGs
- 281 MM Mortars
- 10 Bren Guns
- 300 Rifles

and a considerable quantity of ammo.

I had no food for the 'Jiffs' and informed Capt. Sahgal accordingly, who said his men had sufficient for that night and the following morning. The 'Jiffs' were exhausted and Sahgal himself was slightly lame.

No. 2 Inf. Regt's documents, including Capt. Sahgal's War Diary were found in the village. These were forwarded to Bde HQ.

Some ten days previously a party of 10/15 'Jiffs' surrendered to my Bn at Taungdwingyi.

Recorded by me at Delhi on 15th August 1945.

J.A. Kitson, Lt Col
E. Beaton, Major
DAAG (PS7)
(GHQ(1))

The accused, Capt. Shah Nawaz Khan, having been cautioned in accordance with and in the terms of IAA Rule 15(F), declines to make a statement.

The accused, Capt. P.K. Sahgal, having been cautioned in accordance with and in the terms of IAA Rule 15(F) declines to make a statement.

The accused, Lieut G.S. Dhillon, having been cautioned in accordance with and in the terms of IAA Rule 15(F) declines to make a statement.

Certified that IAA Rule 15 (D)(K)(F) and (C) complied with.

The Foregoing Summary of Evidence as to PWs 1–4 (inclusive) consisting of 67 pages was taken down by me in the presence and hearing of all the accused at Delhi, on the 6th, 7th, 8th, 9th, 10th, 11th, 13th, 14th and 15th days of August 1945.

E. Beaton, Major DAAG,
AG's Branch (PS7)

Officer taking the Summary of the evidence

The foregoing summary of evidence as to PWs 5 to 29 (inclusive) consisting of 158 pages was taken down by me in the present and hearing of all the accused at Delhi, on the 22nd, 29th, 30th and 31st days of August, and the 1st, 3rd, 4th, 5th and 6th days of September 1945.

M.P. Pariser, Capt.
Staff Capt. (Legal)
AG's Branch (PS7)

Officer taking the Summary of Evidence

The foregoing summary of evidence as to PWs 5 to 29 (inclusive) consisting of 158 pages was taken down by me in the presence and hearing of all the accused at Delhi, on the 22nd, 29th, 30th and 31st days of August, and the 1st, 3rd, 4th, 5th and 6th days of September 1945.

M.P. Pariser, Capt.
Staff Capt. (Legal),
AG's Branch (PS7)

Officer taking the Summary of Evidence

SECTION II: TESTIMONIES IN FAVOUR

2. The Chargesheet Against Capt. Shah Nawaz Khan, Capt. P.K. Sahgal, Lieut G.S. Dhillon

Letter 17 September 1945 to them.

GOI, Department of Defence, Office of Adjutant General, Secret File 495/INA.

Charge Sheet

The accused No. I C 58 Capt. Shah Nawaz Khan—1/14 Punjab Regiment, No. I C 226 Capt. P.K. Sahgal—2/10 Baluch Regiment, and No. I C 336 Lieut Gurbakhsh Singh Dillon—1/14 Punjab Regiment, all attached CS DIC (1), Delhi, Indian Commissioned Officers, are charged with:

Committing a Civil Offence, that is to say, Waging War Against the King, contrary to Section 121, of the Indian Penal Code

-in that they together-

at Singapore, in Malaya, at Rangoon in the vicinity of Popa, in the vicinity of Kyaukpadaung, and elsewhere in Burma, between the month of September 1942 and the 26th day of April 1945 did wage war against His Majesty the King Emperor of India.

Committing a Civil Offence, that is to say, Murder contrary to Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill in Burma, on or about 6th March 1945, by causing the death of Hari Singh, did commit murder.

Committing a Civil Offence, that is to say, Abetment, contrary to Section 109 of the Indian Penal Code, of an offence punishable under Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill, on or about 6th March 1945 did abet the offence of the murder of Hari Singh as specified in the 2nd charge hereof, which offence was committed in consequence of such abetment.

Committing a Civil Offence, that is to say, Murder contrary to Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill in Burma, on or about 6th March 1945, by causing the death of Duli Chand, did commit murder.

Committing a Civil Offence, that is to say, Abetment, contrary to Section 109, of the Indian Penal Code, of an offence punishable under Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill, on or about 6th March 1945 did abet the offence of the murder of Duli Chand as specified in the 4th charge hereof, which offence was committed in consequence of such abetment.

Committing a Civil Offence, that is to say, Murder, contrary to Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill in Burma, on or about 6th March 1945, by causing the death of Daryao Singh, did commit murder.

Committing a Civil Offence, that is to say, Abetment Contrary to Section 109 of the Indian Penal Code, of an offence punishable under Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill, on or about 6th March 1945 did abet the offence of the murder of Daryao Singh as specified in the 6th charge hereof, which offence was committed in consequence of such abetment.

Committing a Civil Offence, that is to say, Murder, Contrary to Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill in Burma, on or about 6th March 1945, by causing the death of Dharam Singh, did commit murder.

Committing a Civil Offence, that is to say, Abetment, contrary to Section 109 of the Indian Penal Code, of an offence punishable under Section 302 of the Indian Penal Code

-in that he-

at or near Popa Hill, on or about 29th March 1945, did abet the offence of the murder by one Khazin Shah and one Aya Singh of Gunner Mohammad Hussain of HKSRA, which offence was committed in consequence of such abetment.

Place: Delhi

Dated 17th September 1945

Col,
Comdg,
CSDIC(I),
Delhi.

To
 Capt. Shah Nawaz Khan
 Capt. P.K. Sahgal and CSDIC (I), Delhi
 Lt Gurbakhsh Singh Dhillon
 In the Matter of a General Court Martial

Take Notice Under Indian Army Act Rule 121 that at your trial by Court Martial the Prosecutor intends to call the following witnesses whose evidence is not contained in the Summary of Evidence, viz:

1. No. 500097 Sepoy Jagiri Ram, IAMC
2. No. 12242 Sepoy Allah Ditta, 5/7 Rajput
3. No. 8528 Jem. Mohammad Hayat, I Bahawalpur Inf.
4. Lt Abdul Qadir Shah, Do
5. No. S.R. 763013 Sub. Ram Sarup, RIASC
6. No. 923429 Sepoy Sardar Mohammad, RIASC
7. No. 39742 Gur Puran Singh, 22 Mt Regt
8. No. 38394 Hav. Mohammad Sarwar, Do
9. No. 33707 L/NK Mohammad Khan, MATC
10. No. 9319 Cook Dadu Khan, IGSC
11. No. M.E. 30615 L/NK Mohinder Singh, IEME
12. No. 36773 Sepoy Sadhu Singh, 22 Mtn Regt

A copy of the Statement of each of the above-named witnesses is hereto attached.
 Dated this 17th day of September 1945.

 Lt Col,
 AG's Branch (Prosecution Sect.)
 GHQ(I)
 Prosecutor.

Served a true copy of this notice and attached statements on each of the afore-mentioned Capt. Shah Nawaz Khan, Capt. P.K. Sahgal and Lt Gurbakhsh Singh Dhillon on the 17th day of September 1945.

 Lt
 Persecutor

3. Opening Address by N.P. Engineer Advocate General and Prosecution Counsel

General Court Martial

Capt. Shah Nawaz Khan	-	1/14 Punjab Regiment
Capt. P.K. Sahgal	-	2/10 Baluch Regiment
Lt G.S. Dhillon	-	1/14 Punjab Regiment

Opening Address by Sir N.P. Engineer, Advocate General
 of India—Counsel for the Prosecution

Mr President and Members of this Honourable Court:

The charges against the accused are under S.41 of the Indian Army Act. All of them are charged with 'waging war against HM the King Emperor of India contrary to S. 121 of the IPC' (charge 1). Lt Dhillon is charged with the murders of Hari Singh, Dulichand, Daryao Singh and Dharma Singh, on the 6th March 1945 contrary to S. 302 IPC (charges 2, 4, 6 & 8). Capt. Sahgal is charged with abetting the said murders contrary to S. 109 and 302 IPC (charges 3, 5, 7 & 9). Capt. Shah Nawaz Khan is charged with abetting the murder of Mohd Hussain on 29th March 1945 contrary to S. 109 and S. 302 of IPC (charge 10). The accused are all Indian Commissioned Officers and as such they are subject to the Indian Army Act.

Capt. Shah Nawaz Khan was born in Rawalpindi on 24 January 1914. After attending a course at the Indian Military Academy, Dehra Dun, he was granted a Regular Commission into the Indian Land Forces with effect from 1st February 1936 and on the same day relevant details of the grant of this Commission were published in the Gazette of India. In February 1937 he was posted to 14 Punjab Regt.

Capt. P.K. Sehgal was born at Hoshiarpur on 25 January 1917. He also attended a course at the IMA, Dehra Dun and was granted a Regular Commission into the Indian Land Forces with effect from 1st February 1939. Notice of the grant of this Commission was published in the Gazette of India on 18th February 1939 and he was posted to 10 Baluch Regmt in February 1940.

Lt G.S. Dhillon was born at Algou in Lahore District on 4th April 1915. He too attended a course at the IMA, Dehra Dun on completion of which he was granted a Regular Commission in the Indian Land Forces with effect from 3rd April 1940, notice of which appeared in the Gazette of India of 1st June 1940. Shortly after being commissioned he was posted to 14 Punjab Regmt.

I will first deal with the charge of 'waging war against the King Emperor'.

Section 41 of the IAA provides that every person subject to the Act who either within British India or at any place beyond British India commits any civil offence shall be deemed to be guilty of an offence against military law and if charged therewith under the Section shall be subject to the provisions of the Act be liable to be tried for the same by Court Martial. Civil offence is defined in S. 7(18) as an offence which if committed in British India would be triable by a criminal court.

The motive with which the war is waged is immaterial. Whether the persons charged with the offence did the act with what they considered to be a patriotic motive or with a mercenary motive, the offence is nevertheless committed according to law. The question is whether according to the law applicable to the accused (in this case the Indian Army Act read with the relevant provisions of the IPC) the offence with which they are charged is committed. The offence in question is committed against the duty of allegiance. This allegiance the accused owed to the Crown at all times and in all circumstances. The allegiance remained with them wherever they might be and they were bound by this allegiance even when they were prisoners of war.

The accused waged war against HM the King as officers of and by fighting in what was called the Indian National Army. The INA was composed mostly of officers and men of the Indian Army. The composition consisted of

- (a) Head Quarters;
- (b) Hindustani Field Group;
- (c) 'Sherdil' Guerilla Group;
- (d) Special Service Group;
- (e) Intelligence Group;
- (f) Reinforcement Group.

The 1 Hind Field Group consisted of the Headquarters I, II and III infantry Battalions, IAFV Battalion, I Heavy Gun Battalion, No. 1 Engineer Coy, No. 1 Signal Coy, No. I Medical Coy and

No. 1 Tpt. Coy. The 'Sherdil' Guerilla Group consisted of the Gandhi Guerilla Regmt, Azad Guerilla Regmt and Nehru Guerilla Regmt.

In or about November 1943 i.e. 2 or 3 months after Subhas Chandra Bose arrived in Singapore another Guerilla Regmt was formed, which was officially known as No. 1 Guerilla Regmt. It was also known as Bose or Subhas Regmt. Capt. Shah Nawaz Khan was appointed its Commander. The other three regiments were numbered 2(Gandhi), 3(Azad) and 4(Nehru). They were all incorporated in No. 1 Division. Later on the 2nd and 3rd Divisions were formed. No. 2 Div. was composed partly of Indian military Prisoners of War and partly of civilians. These civilians were mostly recruited by the Indian Independence League in Malaya. Singapore surrendered to the Japanese on the 15th February 1942. On the 17th February, 1942 a large number of Prisoners of War were made to march to Farrer Park in Singapore. Among the Prisoners of War so assembled were the 1/14 PR and 5/14 PR. They were under the command of Capt. M.Z. Kiani. These two Rgmts. were originally distinct but they were combined into one regiment shortly before the fall of Singapore. One Maj. Fujiwara, a Japanese Officer, addressed the Prisoners of War. There were some officers of the Indian Army present among whom was Capt. Mohan Singh of 1/14 PR. The Indian Officers were dressed in the Indian Army uniform and some of them were wearing an armband inscribed with letter 'F'. 'F' stood for Fujiwara a Japanese officer entrusted by the Japanese Government with the work of winning over the Indian Forces to the Japanese side. Major Fujiwara has been doing this work a considerable time before the fall of Singapore. Maj. Fujiwara addressed the Prisoners of War and he was followed by Capt. Mohan Singh. He said 'We are going to form an Indian National Army and we are going to fight for the independence of India. You must all join.'

The INA came formally into existence on 1.1.1942. In March 1942, Capt. Shah Nawaz Khan who was then Commander of the Neesoon Prisoners of War Camp addressed some 200/300 officers, VCOs and NCOs all Prisoners of War. He said that a conference had been held in Capt. Mohan Singh's HQ at which resolutions had been passed to the effect that they were all Indian despite their different religions and that they must all fight for the freedom of India. Capt. Shah Nawaz Khan then instructed those present to explain the resolutions to the Prisoners of War. They agreed to do so. In June 1942 there was a conference held at Bangkok, attended by several delegates including delegates from various regiments of the Indian Army. Among those present was Capt. Mohan Singh. The President of the meeting was Rash Behari Bose, an Indian civilian who had come from Japan. Some resolutions were passed at the conference to the effect that an INA would be formed from military and civilian Indians in the Far East and this INA would be formed under the command of Capt. Mohan Singh and that the INA would fight for the freedom of India. Other resolutions were to the effect that the Indian Independence League would provide the INA with recruits, money, rations and clothes and the Japanese Govt would provide the necessary arms and ammunition.

Among the camps where Indian Prisoners of War were kept in Singapore were Bidadari Camp, Selectar Camp, and Kranji Camp. A large number of the Indian Prisoners of War who joined the INA did so in order to escape the torture and hardship which was inflicted on them and which it was announced would be continued to be inflicted unless they joined the INA. In the Indian POW camps efforts were made to induce and compel them to join the INA; those who resisted were removed to concentration camps. No food was given to them for days and such food as was given was extremely bad. No medical aid was given at all. They were made to lie down on the ground and beaten with a stick about 5 ft long and 2" thick. They were made to do fatigues and were given sacks which they had to fill with earth and which they were made to carry on a bamboo pole, running at the double. They were made to do such fatigues for about 12 hrs a day. Sometimes they were beaten with clubs. Some of the Prisoners of War got so desperate that they

asked their torturers to shoot them. In reply they were told 'We will not shoot you; if you join the INA you will save yourself from the trouble; otherwise you will die in this way.' They were made to sleep without clothes and bedding on spots infested with ants. The tortures so inflicted on Prisoners of War were inflicted by Indians who were themselves Prisoners of War under INA. Among the persons who were incharge of the concentration camps were Sub. Shingara Singh of the 5/14 PR, Capt. Abdul Rashid of the 1/14 PR and Jam. Fateh Kahn of the 5/14 PR. On one occasion in August 1942 Shingara Singh and Fateh Khan came to the camp with 14 armed Sikhs. Fateh Khan said he had come to take them to the INA. This happened in Kranji camp where there were about 300 Mohammedan Prisoners of War. They refused to go saying that they would not break their oath. They resisted being taken away to join the INA. They were fired on and some were killed. One of the Sikhs who had come with Shingara Singh and Fateh Khan was killed. After they left, three Japanese officers and 3 INA officers came. The Japanese Officers told them that the orders to join the INA were given by the Japanese Govt and had to be obeyed, and that if such a thing happened again severe reprisals in the form of death would be taken by the Japanese. The Mohammedan soldiers were then taken to a concentration camp and were tortured and beaten and made to do fatigues. In the concentration camp Mohan Singh came and lectured to them that they should volunteer to avoid further trouble and some of them were thus forced to join the INA.

A similar incident happened in Bidadari camp in September 1942. The officers and men of the 2/9 Gurkha Rifles were in that camp. Jam. Puran Singh and others who had joined the INA used to lecture to them to join the INA. They refused. The VCOs and subsequently the NCOs also were consequently removed to a concentration camp. The men were subsequently told that if they did not join they would be fired upon. On 24 September the sepoy and the followers were told by Jam. Puran Singh to join the INA. They were told 'Are you not Indian and living in India? Why are you not taking part in the INA?' When they still refused several of them were beaten one after another. They were told 'you have been warned several times and this is the result of your not obeying our orders.' The men of the Btn then shouted 'Do not beat us like this. We are prisoners of war of the Japanese and will do fatigues but we will not join the INA.' The Btn then rose to its feet. Puran Singh then said, 'who gave you the order to stand up.' He said, 'You are disobeying orders and doing everything against us. So we will fire upon you.' Jam. Puran Singh ordered the guard to fire and they did so. The Gurkha Prisoners of War had no weapons and all that they could do was to throw their chapels at the guards and at the lecture party and to advance on them. Under the orders of Puran Singh the guard fixed bayonets and charged them. Several of the Gurkhas were wounded. They were taken to Bidadari Hospital. Even in the hospital they were asked to join the INA but they refused. This incident will be deposed to by Hav. Wolet Bahadur of 2/9 Gurkha Rifle who was among the Prisoners of War and who was wounded.

In December, 1942 trouble arose between Mohan Singh and the Japanese. Mohan Singh was arrested by the Japanese and many of the Indian Prisoners of War who had joined the INA discarded their badges. Some of the officers of the HQ however kept their badges.

After the incarceration of Capt. Mohan Singh despite various attempts made by the Committee of Administration, the majority of the INA Officers were unwilling to continue in the INA. On the 10th February 1943 a meeting of all the Indian Army officers and VCOs was called by the committee of Administration when a questionnaire was put to them for answers. One of the questions was 'Are you willing to continue in INA or not?' Those officers who answered in negative were called to appear before Rash Behari Bose on 13 February 1943. Before the officers appeared before him, printed leaflets were given to them bearing in print the signature of Rash Behari Bose as President of the Council of Action Indian Independence League. In this leaflet it was stated that as regard

those who did not wish to remain in the INA 'under the present circumstances' Rash Behari Bose could only say that he was hardly to blame for the present state of affairs in the Army. The leaflet further stated as follows:

'As you know India's fight against Britain has now reached a critical stage. Mahatma Gandhi has undertaken a three weeks fast to bring still more pressure on the British to quit India, thus finally disproving any chance of a compromise. Our duty now is clear. Some of you may be anxious to know what will happen to those rejected from the INA. Unfortunately I shall have no control over those who deliberately choose to quit the INA at the present juncture. I cannot speak for the Japanese, nor say in what manner or at what place they may be employed by the power whose prisoners they choose to be. Those of the officers who do not wish to reconsider their views will have to appear before me at 11.30 hours today and give their reasons, before I decide to separate them from the men.' After January 1943 recruiting was again done for the INA and many Prisoners of War joined and more were made to join the INA.

The tortures and hardships inflicted on the Prisoners of War were so inflicted openly and publicly in Prisoners of War camps and concentration camps. The accursed themselves addressed Prisoners of War at various places and at various times both before and after December 1942. I will mention a few instances.

In January–February 1943, Capt. Shah Nawaz was in Port Dixon and addressed the officers, Subedars and Jamadars who were Prisoners of War. He said that the INA of Capt. Mohan Singh had been disbanded and that a new INA was being formed. He said that any Prisoners of War who wanted to join could do so. He pointed out how badly they were being treated there, but that if they joined the INA they would be well treated and fed properly. He told them to explain this to Prisoners of War and to give a list of the volunteers to the Camp Commandant for dispatch to INA Headquarters at Singapore. No volunteers came forward.

About the end of April or beginning of May 1943 Capt. Shah Nawaz was at Port Swettenham. He delivered a lecture to all the Indian Prisoners of War there who were paraded for the occasion. He called on them to volunteer to drive the British out of India. He said they should join the INA and if they did so they would get good rations and soon be sent to Burma. He said that in the INA their pay would only be like pocket money but that when the freedom of India was achieved they would go back to their old rates of pay. He said that volunteers should hand in their names to the Camp Commandant and that on the following day they would be sent to Singapore. No one volunteered on that occasion.

In January 1943, Lt Dhillon was present as one of the lecturing party when a Jap. officer by name Iwakuru and Rash Behari Bose addressed some Prisoners of War in the cinema Hall in Bidadari camp.

After the lecture, Lt Dhillon went to the mess and said that he wanted to talk to the persons present there. He said that all officers should unite and join the INA. Sub. Maj. Bahuram and Sub. Chanan Singh of the 1/14 PR told him that if he had come to speak as he was doing he could clear out at once; he was angry and went away.

In March 1943, Lt Dhillon went to Jitra, accompanied by Maj. Dhara and they lectured to the Prisoners of War there. Maj. Dhara spoke first and said that the INA had been formed and that it would only fight in India and obtain the liberation of India. He said that they would fight with the Japs but if there was any dishonesty on the part of the Japs once they were in India then the INA would have their arms and would fight against the Japs. He said the Prisoners of War should join INA as that was the best chance they had and that nearly all Prisoners of War had already volunteered. Then Lt Dhillon gave a lecture. He said that after Maj. Dhara's speech there should be no doubt about what the Prisoners of War ought to do. He said that the INA would only fight

in India and would obtain the liberation of India. He said the INA would have help from the Japs and anise repeated what Maj. Dhara had said.

In March 1943, Lt Dhillon was in Taiping. He delivered a lecture there to the Indian Prisoners of War who had not volunteered to join INA. He said that he had lectured to the Prisoners of War in Singapore and Jitra and that they had all volunteered for INA. He said they should also join. He said that the INA was going to fight to drive the British out of India. He said if they did not join they would get into trouble. He said they had nothing to fear for if INA failed, all the blame would fall on the senior officers and other ranks would not be punished.

The effect of what the accused did and said must be considered in the light of the circumstances which then existed. The British forces in Malaya and Singapore had collapsed. The Prisoners of War were being treated in the manner aforesaid in Prisoners of War camps and concentration camps. The Indian sepoy is trained to follow his officer with unquestioning obedience. The accused went about recruiting men for the INA and among other things gave promises of better treatment and held out veiled threats. The only alternative to joining the INA was starvation and torture. No wonder then that many men of the Indian Army enlisted in the INA particularly as they had the example of their own senior officers who had joined the INA.

The evidence will show that the accused recruited men for the INA, took part in the organisation of INA, gave directions and orders for fighting against HM's forces and themselves actually fought against them. In doing so, they carried out prearranged plans and carried out a common design to wage war along with others.

The training and the fighting was done with British arms which had been captured by the Japanese. The soldiers and officers retained and used their uniform of the Indian Army and in addition they put on badges of the INA. Some of those badges will be produced in evidence.

In about August 1942, Lt Nag, who had also joined the INA was asked to prepare a so-called INA Act which he did. This Act followed for the most part the IA Act. But one significant addition was the inclusion of the sentence of whipping as a punishment which was originally six stripes a week or less, the total not to exceed 24. Subsequently in June 1943 the power to inflict the punishment of whipping was extended to the Army Commanders and to the Directorate of Military Bureau in cases of serious indiscipline among sepoys and NCOs.

In August 1944, the number of stripes which could be given was increased to 45 or 50 and power to inflict this punishment was given to Divsl, Regmtl and Battalion Commanders.

In or about the middle of January 1943 an Administrative Committee was formed which was at first concerned with the administrative needs of the Prisoners of war. It was this Administrative Committee which arranged the propaganda lectures. In or about May 1943 the Directorate of 'Military Bureau' came into existence. Capt. Sahgal was the Military Secretary and Capt. Shah Nawaz was Chief of General Staff.

On the 21st October 1943, there was a mass meeting in Singapore of the INA personnel and Indian civilians. Subhas Chandra Bose, who had come there addressed the gathering. He announced the establishment of the provisional Government of Free India which would administer the territory occupied by INA. He announced the names of Ministers, among which was the name of Capt. Shah Nawaz Khan. On the 30th October 1944, a War Council of the Prov. Govt was purported to be formed. A copy of the communication announcing this was sent through Capt. Sehgal to Lt Nag for publication.

By March 1945, many officers and men of the INA began to go over to HM's forces. To prevent this being done an order was issued by Subhas Chandra Bose to the effect that every member of the Azad Hind Fauj—officer, NCO or sepoy would in future be entitled to arrest any

other member of the AHF no matter what his rank may be if he behaved in a cowardly manner or to shoot him if he acted in a treacherous manner.

The evidence in the case will be both oral and documentary. From time to time various documents came into the possession of the British army in Burma. These were sent to the proper quarters and ultimately they were forwarded to the HQ at Delhi and the prosecution is able to produce them. I needed not refer in detail in my opening address to all the documents. I will however refer to a few of them here. These documents bear the signatures of the accused. Some of them are in the handwriting of the accused and some were issued under the instructions of the accused.

Among the documents which bear the signature of Capt. Shah Nawaz Khan or are in his handwriting are the following:

On the 8th August 1943, Capt. Shah Nawaz wrote to the HQ No. 1 Div. INA Command Reinforcement Group HQ Hikari Kikan sending a copy of a scheme for the reception and management of the Indian soldiers in Burma. The year in this letter is stated to be 8th August 03. '03' stands for 2603 which is the Japanese year. There was an announcement on 14th May 1943 that the Japanese calendar would be adopted from that date i.e. 1943, would be shown as 2603 and so on. In the scheme it is stated that it was expected that when the operations started on the Indo Burma border some Indian soldiers would walk over to their side and some on the other hand would be forced to surrender during the fight. It was stated that due to the difficulties of language etc. it was very difficult for the Japanese troops in the forward areas to discriminate and handle those men properly. The scheme stated that to get the best results of their propaganda they should be very careful in the treatment of those men. It was stated that the men should be divided into three categories:

- A - Those who had knowledge of the movement and had come with and intention to join them.
- B - Those who had no knowledge but were willing to join them and,
- C - Those who did not agree to join the INA.

Categories A and B were to be organised, armed and equipped.

Category C was to be handed over to the Japanese authorities to be treated as POW. It was stated that before the scheme could be put into effective operation the Hikari Kikan would kindly ensure that all Japanese officers and men were familiar with the policy of Nippon Govt towards India, the INA and the Indian soldiers coming to their side and the Japanese officers and men were ready to help and cooperate with the INA and provide all possible facilities for the smooth running of the scheme.

On 5th September 1944 an INA order was issued. It was published on the instructions of Capt. Sehgal as Military Secretary. It sets out the decorations which would be awarded to members of the AHF by the Prov. Govt of Azad Hind. Among them was an award of 'Tamgha-e-Shatru Nash' which was to be awarded to those members of the AHF who exhibited conspicuous gallantry and devotion to duty in killing or capturing alive any British or American officer or other rank.

On the 2nd April 1945, Capt. Shah Nawaz made an information report to Maj. Kawabara, about the telephone lines having been cut and of there having been activity of enemy tank armoured car and lorry borne troops on Legy Front.

On 10th April 1945, Capt. Shah Nawaz issued an order addressed to Units 605, 747 and 801 of AHF that as the Regmts would have to be dispersed in very wide areas and communication with the Divl HQ would not be easy the Div Commander on authority from the Supreme Commander invested all Regimental commanders with powers to award any punishment including death to any person or persons guilty of gross indiscipline, disloyalty, desertion or any other serious crime.

The diaries of Capt. Shah Nawaz Khan for the years 1944 and 1945 have also come into the possession of the prosecution. The diaries are in the handwriting of Capt. Shah Nawaz. The entries in the diary for 1944 show that on 27th January 1944 Capt. Shah Nawaz called on the Supreme Commander Nippon Forces and received orders for the final move towards India. On 11.2.44, he called on the GOC North Burma, General Motiguchi who was very kind and promised full aid to the INA.

An entry under date 30 March runs as follows:

'Boobi returned from Kennedy Peak. His report is distressing. The Japanese are using INA Crack Regmt. as labourers. I am going to Hak today to see Kimewari in this connection. I wonder what is going to be the outcome of all this one sided co-prosperity'.

Another entry under date 4 April 1944, states that Capt. Shah Nawaz met the Commander of the LET Div. and that the role of the Div. had been changed and they were going to participate in the fight for 'Imphal'. The entry states that the Div Commander gave Capt. Shah Nawaz a chance to select his role in the coming operations and that his choice was attack on Imphal'.

An entry under date 7th July 1944 is as follows:

'Kimewari went to GHQ to take orders. Men did not receive any rations. 4 Garhwalis have died of starvation. I and Ramsarup have approached Hikari Kikan to do something about the ration. They seem not to take the least notice of it. I do not know what is the idea behind this deliberate starvation of my men.'

An entry under date 15 July 1944, says that due to starvation men were dying like flies and some were committing suicide and the Japanese were giving no help.

On 8th August 1944, there is an entry as follows:

'Piara's return from Yuwa with Kimewari's answer. No arrangement for money or other help from him. He has suggested that our sick men at Teraun should commit suicide.'

The diary for 1945 is equally significant. Under date 21st February 1945, there is an entry that Capt. Shah Nawaz was leaving for the front that night and that he left for Popa at midnight and that Netaji came to see him off, and gave him all instructions. Netaji stands for Subhas Ch. Bose.

An entry under date 22.2.45 states that he reached Kuak Padaung at 5 hrs and he met Lt Dhillon and Jagir in village Indo. It states that they had managed to collect approx. 500 stragglers and that it had been a bad show. One Btn surrendered—Hariram's and others bolted. The entry states Lt Dhillon went with Capt. S.N. to Popa and that at 7 hrs he met Riaz and Sahgal and he also met the commander of Kanji Butai. Another entry under date 23.2.1945 that he received Saku Butai order to push the enemy across Irrawady. He went and received defensive positions and lectured to all officers. It states that he left for Mkeitalla at 23 hrs and he issued operation orders to Sahgal and Dhillon.

Another entry under date 1.3.45 states that he met Netaji at Pyinmana and discussed with him future plans and then rushed on to Rangoon to take command of No. 2 Div.

An entry under date 3.3.45 states that it was decided that he should take over command of No. 2 Div. He heard about the desertion of Riaz, Madan, Sarwar and Dey, and that it was a very sad affair.

An entry under date 14.3.45 states that Sahgal came and reported that the enemy on Pyinbin side was on the run and that Pybn had been occupied by the Japanese and that Sahgal left with two coys to attack Pybn.

An entry under the date 15.3.45 says that Sahgal with his forces attacked the enemy in Pybn on the night of 15–16 midnight and that there were no enemy.

An entry under date 19 March states that he went and saw Maj. Dhillon at his HQ at Khabok.

An entry under 25th March states that the orders for attack on Pyinbin by Khanjo were changed and that now Khanjo and INA main force would attack together.

Another entry under date March 27 states that he issued operational order for attack on Pyinbin. An entry under date 29th March states that he halted at Legy and heard the news that Sahgal and other missing officers had turned up.

Under date 2.4.45 an entry states that the day started with unpleasant shocks and that some officers had deserted. Under date 3.4.45 an entry states that Sahgal reported that the enemy 2 Btn strong with 12 tanks was advancing on them and that he was attacked and thrown back.

Under date 4.4.45 there is an entry to the effect that Sahgal reported that most of the men had deserted, and that it appeared that they had enough.

An entry under date 5.4.45 states that Dhillon had arrived and he discussed plans with Dhillon and Sahgal and allotted them their respective roles, i.e. No. 4 to take over defence of Kyaukpadaung and Popa. On 7.4.45 an entry states that he issued orders to Gurbax and Sahgal re. taking over of defences.

Under date 18.4.45 an entry states that the British had occupied Taungwingy and that the Japanese and INA were counter attacking.

An entry under date 19.4.45 states that the British tanks and carriers had broken into the positions at Magwe and that no organised resistance could be put up.

Under date 4.5.45 there is an entry as follows:

‘Spent the day in a small hut. Rained all day. Japanese have left us completely in the lurch. They are running themselves and are not bothering about us.’

Under date 5th May 1945 Capt. Shah Nawaz states that the Japanese have no further use of the INA and all liaison officers etc. were withdrawn at Prome and that the discipline and morale of troops had deteriorated. There was no control and officers were leaving the men.

On 13th May 1945 there is an entry as follows:

‘Full information re. British Forces received. Appears to me that we are completely cut off. No way to escape. At 19 hrs left the village and marched to a jungle where I gave full facts to the men. Majority decided to become POW. Yet I am not prepared to surrender and would like a little more lingering about in jungles of Burma.’

Under date 14th May 1945 the entry runs as follows:

‘The POW party marched off at 10 hrs with Maj. Jagir and AB in charge. My party with Col Dhillon, Maj. Mehr Das and 80 men stayed behind to see what fate has in store for us. At 16 hrs started from a village 7 miles west of Pegu and reached village Loga, approx. 16 miles West of Pegu. There are also many Japanese who are trapped in the Forest. All the inhabitants are very pro-British. Our strength is only 49.’

The last entry is on date 17th May 1945 and is as follows:

‘At about midnight 16/17 on entering the village of Sitapinzeix we were heavily fired upon by men of 2/1 Punjab Regmt, from a range of 15 yards. Civilians’ guide was killed. I lost my bag. Spent the night in jungle. 8 hrs started but found all routes blocked. At 18 hrs captured by 2/1 and taken to Pegu Div. HQ—Corp. HQ and Jail.’

Among the documents which bear the signature of Capt. Sahgal or are in his handwriting are the following:

On the 9th February 1944 Capt. Sahgal sent to all Units a special order of the day by Subhas Chandra Bose as the Supreme commander of the AHF and all Unit Commanders were asked to hold a parade of troops under their command and to acquaint them with all available details regarding the action on the Arakan Front. This special order stated that their long awaited march to Delhi had begun and with grim determination they should continue that march until the tri-colour

National Flag that was flying over the Arakan Mountain was hoisted over the Viceregal Lodge and until they had their victory parade at the ancient Red fortress of Delhi. They were asked to adopt as their slogan the words 'Onward to Delhi'.

On the 6th of April 1945 Capt. Sahgal made a Report to No. 599 Unit AHF. This report was made by him as Commander of No. 747 Unit. In the report it was stated among other things that Lt Yasin Khan and other officers and men had deserted and that a great deal of alarm and despondency was observed among the officers and men owing to the desertion. The report further states that Lt Khazin Shah being in a very bad state of nerve was not fit to command the Btn any more and he therefore sent him to keep an eye on the 'A' Coy Commander whose movements were also suspicious and Capt. Sahgal personally took over the direction of the battle. The report also states that during the action two platoons were over to the enemy and that later Lt Khazin Shah with the whole of his Btn HQrs and one platoon of 'A' Coy deserted. Further desertions were also reported in this report and he sums up the situation by saying that their position was completely surrounded, that the morale of 506 Unit was very low and it was most likely that some of them may possibly go to over to the enemy. There is a footnote to the report that in a majority of the cases when officers were going over to the enemy they ordered the NCOs and the men under their command to move with them under the pretext of either changing their dispositions or of attacking the enemy.

On the 26th March 1944 Capt. Sahgal addressed a communication to all formation Units giving the personal Nos. which were allotted to officers. The No. of Shah Nawaz Khan was 22 and his INA Unit was stated to be HQrs 1 Guerilla Regmt and his Indian Army Unit was stated to be 1/14 PR. The No. of Lt Dhillon was 38 and his INA unit was stated to be HQrs 5—Guerilla Regmt and his Indian Army Unit was stated to be 1/14 PR. The No. of Capt. Sahgal was 84 and his INA unit was stated to be HQ 5C and his I.A. Unit was stated to be 2/10, Baluch Regmt.

The diary of Capt. Sahgal in his own handwriting is also available and will be produced. This diary is for the year 1945. An entry under date 8th February 1945 states that his role was going to be the defence of Popa hill. Under date 17th February, he states that the enemy had crossed the Irrawady river at Dhillon's Front and that his equipment was almost finished. Under date 19th February it is stated that Dhillon was very despondent about the condition of the regiment. There was no discipline left and the morale was gone. Under date 22nd February it is stated that Shah Nawaz Khan was taking over the temporary command of the Div. until Col Aziz got well. Under date 1.3.45 there is an entry as follows:

'I had to sentence an officer to death for refusing to go to the front. What a pity, it is such a waste of human life.'

Under date 2.3.45 there is an entry as follows:

'These officers have not returned so far. I am certain they have gone over to the enemy—the treacherous swines. From now on I am going to be absolutely ruthless. I have already replaced one Btn command. I have issued orders that any one making a suspicious movement is to be shot immediately.'

Under date 11th March 1945 there is an entry as follows:

'Dhillon has gone into attack today. I hope he will do something really good. We need to wash off the disgrace that has been caused by these traitors.'

Under date 14th March there is an entry as follows:

'Dhillon attacked Taunggon last night, but there was no enemy.'

Under date 19th March 1945 there is an entry as follows:

'News from Dhillon. His fellows are putting up a brave show; they attacked a hill three times and eventually captured it and killed about 300 enemy; his casualties have been pretty heavy too.'

Under date 20th March there is an entry as follows:

‘Khanjo Unit has been ordered to prepare themselves to go into attack. I have to take over the defence of the whole of Popa and Kyaukpadaung area. Moved Banta Singh’s Btn to cover Kyaukpadaung Meikella Road. No definite information about the enemy in Meikella area.’ I have ordered BS to send a patrol in that area to find out. Shah Nawaz has told the Japanese that we must be given a share in the offensive. I quite agree with him, but do not think will get a chance to.’

Under date 27th March there is an entry as follows:

‘I am going to put a Btn astride and in the high ground in the right of Sektien–Welong Road and basing one Btn North-west of Perktin. Carry our harassing attacks against enemy in Pynwyn from Tada area.’

The last entry is under date 28th March 1945 which states as follows:

‘I will put only one Coy to defend Welong Sektein Road and leave the remainder of the Btn Popaywa area until the arrival of Dhillon’s command when I may expect them to join me.’

I may state here that Capt. Sahgal surrendered on the 28th April 1945.

There is an intelligence summary No. 3, No. 501 Unit dated the 3rd March 1945. It is signed by Lt Dhillon. Under date 28th February 1945 he mentions the names of some officers stating that they have been captured or have gone over to the enemy. There are other intelligence summaries and operation orders and ‘Battle reports’ signed by Lt Dhillon. I will refer to them in detail when they are tendered as in evidence.

It will be convenient to state here what ranks the accused bore in the INA and what units and brigades they commanded. This will also be proved not only by oral evidence but by documentary evidence.

Capt. Shah Nawaz was promoted to the rank of 2nd Lt in the INA with effect from 1st September 1942. This appears in a special order dated 1.9.42 by Capt. Mohan Singh GOC, INA. It is signed by Maj. M.Z. Kiani ‘G’ HQ INA. This order states the old rank and unit of Shah Nawaz Khan as Captain 1/14 Punjab.

On the 9th September 1942, Capt. Shah Nawaz was by another similar order made a Maj. with effect from 10.9.42 By another similar order d/-15.10.42, he was promoted to be Lt Col with effect from 15.10.42 and his unit was stated to be HQ INA. This order says that it was subject to the approval of President, Council of Action, Indian Independence League.

By an order d/-30.11.42 he was appointed to be OC Cadets Training School with effect from 26.11.42, and the same order states that he was transferred from reinforcement group to HQ INA Cadets Training School.

By an order dated 10th April 1943 Shah Nawaz Khan was transferred from Reinforcement Group to DMB office i.e. Directorate of Military Bureau.

By an Order d/-17.4.45 which is signed by Capt. Sahgal as Military Secretary, Captain Shah Nawaz Khan was appointed Chief of General Staff. In February 1945 he was promoted Colonel in the INA.

Capt. Sahgal was made 2nd Lt by the aforesaid special order d/-1.9.42 and his old rank and unit are stated to be Capt. 2/10 Baluch Regmt.

By the aforesaid order of 9.9.42 he was promoted to be a Capt. with effect from 10.9.42. By the aforesaid order of 15.10.42 he was promoted to be a Maj. with effect from 15.10.42. and his unit is stated to be HQ 1—Hind Field Force Group.

By the aforesaid order of 10.4.43 Capt. Sahgal was transferred from HQ of Hind Field Force Group to DMB’s Office with effect from 26.2.43. This order is signed by Capt. Sahgal himself as Military Secretary.

On 17th April 1943 Captain Sahgal was posted as Military Secretary.

Lt Dhillon was appointed 2nd Lt in INA by the aforesaid order of 1.9.42 and his old rank and unit are stated to be Capt. 1/14 PR. He was promoted to be a Capt. by the aforesaid order dated 9.9.42 with effect from 10.9.42. By the aforesaid order of 15.10.42 he was promoted to a Major and his unit is stated to be Reinforcement.

On 17.4.43 he was posted to the 'O' Branch as Dy QMG.

The evidence will prove that after the arrival of Subhas Chandra Bose in Singapore in July 1943 when No. 1 Guerilla Regmt was formed, Shah Nawaz Khan was appointed its commander. He left with his regmt for Burma in about October 1943. I will deal separately with the activities of all the accused after the beginning of 1945.

Capt. Sahgal was on the formation of the INA in September 1942 Adjutant 1—Hind Field Force Group. He became Military Secretary in April 1943. He arrived from Singapore in Rangoon about February 1944 and remained there for about a year before taking active command.

Lt Dhillon was at first o/i/c to Capt. S.M. Hussain who was commanding Hind Field Force Group (part of 2nd Div.). He arrived in Burma in or about September 1944. Soon after his arrival in Rangoon he was appointed Officer Commanding 4th Guerilla Regmt (Nehru Brigade) and he moved to Mandalay to take up his duties.

In February 1944 the main HQ of the INA reached Rangoon. The rear HQ were at Singapore. By that time the following units of the INA were in Burma namely the four Guerilla Regmts, Nos 1 and 2 Bahadur Groups, Reinforcement Group, Intelligence Group and ancillary units. In April 1944 the 1st, 2nd and 3rd Guerilla Regmts were at the front preparatory to the Manipur and Arakan offensives. The 4th Guerilla Regmt was then at Mandalay.

In the beginning of 1945 Capt. Shah Nawaz was the Divisional Commander of No. 2 INA division. Capt. Sahgal was commander of No. 2 infantry (originally known as No. 5 Guerilla Regmt) which was part of the 2nd Division. Lt Dhillon was the commander of the 4th Guerilla Regmt which was originally called Nehru Brigade.

The last phase of the waging the war so far as the accused are concerned was in the vicinity of Kyauk Padaung and Popa Area. All the accused were then in that area and were directing operations against the armies of His Majesty, and were themselves fighting against those armies. There will be evidence to show that on the 4th March 1945 a patrol of the 5th Guerilla Regmt had an encounter with a British Patrol and captured 2 jeeps and a wireless set. This will be deposed to by gunner Bhil Singh of the INA who was one of the patrol. In this encounter 2 British soldiers were killed. The British Patrol was of the 2nd Bt. South Lanchshire Regmt. Capt. Fenshaw who led this patrol will depose to the encounter. There will be evidence that one of the jeeps captured was used by Capt. Sahgal. We find a reference to this in Capt. Sahgal's diary in which under date 4th March there is an entry to the effect that that news came through that his patrol had captured 3 cars and put to flight an American patrol who left 3 dead bodies behind. Under date 5th March there is an entry as follows: 'managed to bring back 2 of the jeep cars and the captured arms and ammunition and one wireless set.'

On the 16th March 1945 there was an encounter between a company of 4th Guerilla Regmt which was under the command of Lt Dhillon. The Coy consisted of between 90 to 100 men. This was in the vicinity of Kyauk Padaung. The encounter was with the 4/5 Grkhas Rifles under the command of Lt Col MacConachie. Six of the company of the 4th Guerilla Regmt were killed and 35 were captured. On the British side 4 Gurkhas were killed and 5 wounded. This fight is mentioned in a 'Battle Report' made by Lt Dhillon on 18th March 1945.

This shortly will be the case of the prosecution as regards the first charge namely of waging war against HM the King.

I will now deal with the charges of murder and abetment of murder. Section 302 IPC provides the punishment for murder. According to S. 299 IPC whoever causes death by doing an act with the intention of causing death commit the offence of culpable homicide. Section 300 provides that except in the cases therein after excepted culpable homicide is murder if the act by which the death is caused is done with the intention of causing death. The exceptions mentioned in that Section have no relevance to the present case and I need not refer to them.

Section 109 IPC provides for the punishment of abetment if the act abetted is committed in consequence.

Section 107 IPC says that a person abets the doing of a thing who among other things instigates any person to do that thing or intentionally aids by any act or illegal omission the doing of that thing.

I will deal with charges 2 to 9 together. Lt Dhillon is charged with offences of the murders of 4 sepoy and Capt. Sahgal is charged with the abetment of those murders. The four men who were killed were sepoy in the INA. Before they joined the INA they were sepoy in the Indian Army. The case for the prosecution is that Capt. Sahgal gave the order for the four sepoy to be shot and Lt Dhillon got them shot on 6th March 1945. There is documentary evidence to prove this. There is a document styled 'Crime Report' bearing date 6.3.45 signed by Lt Dhillon. In this document it is stated that the four sepoy while on active service deserted from the Front line on 28th February 1945 until apprehended by a unit patrol sent for the purpose on 2nd March 1945, and that they attempted to communicate with the enemy on 28.2.45. Under the column 'punishment awarded' there is an entry in the handwriting of Lt Dhillon and signed by him stating as follows: 'Remanded for Divisional Commander's trial'. In the same column there is an entry in the handwriting of Capt. Sahgal as follows: 'Sentenced to death under the authority of Supreme Commander AHF letter dated 21st February 1945 to No. 2 Infantry Regmt.'. Under the column 'By whom awarded' there is the signature of Capt. Sahgal with the date 6.3.45. The document itself is signed by Lt Dhillon.

There is another document, called special order of the day, dated 19th March 1945, in which under the heading 'administration, desertion, capital punishment' after setting out what I have already read out from the 'Crime Report' it is stated that Capt. Sahgal passed the sentence of death on 6.3.45 and that the sentence of death was carried out at 19 hrs on 6.3.45.

There will be oral evidence to show that on 6.3.45 the four men with their hands tied behind their backs were taken to a trench and made to sit down there. Lt Dhillon then made a speech in which he said that the four men in the trench had attempted to escape to the British, but they had been captured by a patrol and brought back. For this they had been awarded the death sentence and would now be shot. He then called for volunteers for the firing squad. Three men volunteered, L/N Hidayatullah, S.P. Kaluram and Naik Sher Singh. Hidayatullah and Kuluram had rifles and Sher Singh had a pistol. Lt Dhillon then called the first man out of the trench. He made a short speech in which he said that the man had been captured whilst trying to contact the British authorities and for this he had a request to make. Lt Dhillon replied that no request would be listened to. He then gave the order to fire to Hidayatullah, who fired one round at the prisoner who fell to the ground. The other men were then called from the trench one at a time and were shot. Hidayatullah shot the second man as well and Kuluram shot the third and fourth men. The four men were then lying on the ground but were not yet dead. Lt Dhillon ordered Sher Singh to fire his pistol into each of them. Sher Singh did this. Lt Dhillon then made a speech saying that in future if any man behaved as these four dead men had behaved, he would get the same punishment. The four bodies were then buried in the trench.

The 10th charge is against Capt. Shah Nawaz Khan for abetment of the murder by one Khazin Shah and one Aya Singh of Gunner Mohd Hussain of HKSRA. There is no document available in respect of this order to shoot Mohd Hussain. But there will be oral evidence to show that Mohd Hussain, Jagiri Ram and Allah Ditta were taken to Capt. Shah Nawaz Khan on the 29th March 1945 and Capt. Shah Nawaz Khan read out a 'Crime Report' in respect of each of the three persons to the effect that they had attempted to escape to the British. So far as Mohd Hussain was concerned he replied to the charge that it was true and that he had done so because he had a lot of trouble. Capt. Shah Nawaz then said to him 'You have been making a propaganda here and you have been trying to persuade the men to escape to the British. These two men were going to escape to the Br. through your persuasion. You are disloyal to your country and you were going to join our enemies; as a punishment I sentence you to death, and you will be shot.' Mohd Hussain pleaded for pardon, but Capt. Shah Nawaz said 'I will listen to no excuses and there will no pardon. You are our enemy and you will be shot.' On the same day Khazin Shah and had Mohd Hussain taken to the bank of a 'Nullah' where a grave was being dug for him. Under Khazin Shah's order Mohd Hussain was tied to a tree and his eyes were bandaged. Khazin Shah then called for two men with rifles from the fatigue party who were digging the grave to form the firing squad. Two men came forward, a Sikh and a Madrassi and stood about 8 to 10 yards in front of Mohd Hussain. Khazin Shah then told Jagiri Ram whom he had ordered to be present there that he had attempted to escape with Mohd Hussain and that he would be one of the firing party that was going to shoot Mohd Hussain. When Jagiri Ram said that he would not do so, Khazin Shah drew his pistol and pointing it at Jagiri Ram said that if he did not carry out his order he would shoot him there along with Mohd Hussain. Khazin Shah then ordered Aya Singh to give the fire order. Aya Singh hesitated for a few seconds. Khazin Shah again ordered him to give the firing order and Aya Singh did so, whereupon the three men each fired one round and Mohd Hussain fell down dead.

It is submitted that the aforesaid acts of the accused amounted to murder and abetment of murder. If the accused seek to rely upon any general or special exception or upon any proviso in the IPC, the burden of proving the existence of circumstances bringing the case within such exception or proviso is under Section 105 of the Indian Evidence Act upon the accused and the Court shall presume the absence of such circumstances. The Prosecution will submit that any plea that they were bound or justified by law in doing what they did cannot avail them. Joining with rebels in an act of rebellion or with enemies in acts of hostility makes a man a traitor. An act of treason cannot give any sort of rights nor can it exempt a person from criminal responsibility for the subsequent acts. Even if an act is done under a command, where the command is traitorous obedience to that command is also traitorous.

It is submitted that the accused cannot in law seek to justify what they did as having been done under the authority of the Indian National Army Act. No authority purporting to be given under that Act can be recognised by this Court or indeed by any court in this country. The assumption of any such authority was illegal from the beginning. Any tribunal or authority purporting to be established under that act would be in repudiation of the allegiance which is inherent in a court of the country. Those who instituted or took part in the proceedings were themselves liable to be punished for offences against the State. All orders under the INA Act or by any tribunal or authority purporting to be established by it are without sanction. They cannot protect the person who made such orders or who acted upon them.

N.P. Engineer



4. Statement Made in the Court by Capt. Shah Nawaz Khan, 7 December 1945

Mr President and members of this honourable court.

In this statement I am going to lay before you, very frankly, the considerations and motives that have impelled me from the day of my surrender in Singapore on 15th February 1942 to the day of my capture by the British forces at Pegu on 16th May, 1945.

Before touching on the actual period, I would like to throw some light on my early history and Army career:

Early History

I was born in a family of Janjua Rajputs in Rawalpindi District. My father who was the leader of the Tribe in the District served in the Indian Army for 30 years.

In the first and the 2nd world wars, every able-bodied member of my family joined the Army. At present there are over 80 of them serving as officers in the Indian Army.

In short I belong to a family in which loyalty to the Crown has always been a valued tradition. I was educated at the Prince of Wales Royal Indian Military College Dehra Dun.

In 1933 I passed out into the IMA Dehra Dun, and received the under-mentioned scholarships:

- (a) King Emperor's Cadetship.
- (b) Sir Partab Singh Memorial Prize for being the best cadet and for belonging to a family having the best military services to its credit.

I passed out of the IMA as an under officer and was attached to a British Battalion for one year after which I was posted to 1st Bn 14th Punjab Regiment in February 1937.

In short I was brought up in an atmosphere which was purely military and up to the time of my meeting with Netaji S.C. Bose at Singapore in July 1943, I was politically almost uneducated. I was brought up to see India through the eyes of a young British Officer, and all that I was interested in was soldiering and sport.

Call to Malaya

In March 1941, my Bn went overseas to Malaya. At that time I was left behind in command of a company at the Training Centre at Ferozepore.

Early in November 1941, my OC—Lt Col L.V. Fitzpatrick wrote to the GHQ India, asking for my being set out to join the Bn. The OC the training Centre, however, refused to allow me to go, on the grounds that my services could not be spared. He also protested about it to the GHQ and an India Army Order was published stating that in future the active Bns should not ask for any officer by name.

Col Fitzpatrick, however, again applied for me through Malaya High Command, but his request was again turned down.

Early in December 1941, he wrote a private letter to the OC the Training Centre, stating that it was imperative in the interests of the bn that I should be sent out to join it.

On receipt of this letter I was allowed to proceed to Malaya and join my Bn.

I was very proud of my Bn, and was very happy to join it in the fight against the Japanese.

On 16th January 1942, I sailed from Bombay, determined to live up to the good name of the Sherdil Bn and to uphold the martial traditions of my family.

I arrived at Singapore on 29th January 1942, when the situation had become very critical. In spite of this SLH I was determined to put up a brave fight.

In the battle of Singapore on 13th, 14th and 15th February, 1942, when the British officers, on my right and left flanks had disappeared with their units, I held on to my position until ordered by my Commanding Officer to surrender.

I resented this order very much especially because I felt that I had not been given a fair chance to fight the enemy. To have brought me to Singapore so late in the fight, only to be ordered to lay down my arms, and to surrender unconditionally, I considered to be extremely unjust to myself and to my sense of honour as a soldier.

Surrender and the Concentration at the Farrar Park

On the night of 15/16 February 1942 the day of surrender, we received orders that all Indians, including the King's Commissioned Officers, were to concentrate at Farrar Park; all the British officers and other ranks were to concentrate at Changi.

All of us, especially the officers, were surprised to hear this order, because according to the laws of civilized warfare, all captured officers irrespective of nationality, whether Indian or British, are kept together, and separate from the rank and file.

We had heard of the ways of the Japanese before, and felt that our British brother officers were leaving us in the lurch to face it all by ourselves.

On the morning of the 16th February 1942, when we are marching off to our concentration area, our Commanding Officer Maj. McAdam, along with other British officers came to see off the Bn. When shaking hands with me he said, 'I suppose this is parting of our ways.'

These words confirmed my belief that we, the Indians, were being left in the lurch. These were the feelings and the state of mind in which I went to Farrar Park.

Handing over Company

At Farrar Park we were handed over to the commander of the Japanese Intelligence Department, Maj. Fujiwara, by Col Hunt the representative of the British Govt. When handing over, Col Hunt called the parade to attention and said:

'Today I, on behalf of the British Govt hand you over to the Japanese Government, whose orders you will obey, as you have done ours.'

Maj. Fujiwara then brought the parade to attention and said 'On behalf of the Japanese Govt I take you over, under my charge.' He then went on to say, 'I on behalf of the Japanese Govt now hand you over to GOC Mohan Singh, who shall have the power of life and death over you.'

Maj. Fujiwara made a speech in which he declared that we would not be treated as prisoners, but brothers by the Japanese, and expressed the hope all of us would join the Army which would be raised to fight for India's Freedom, under the leadership of GOC Mohan Singh.

After this Capt. Mohan Singh came to the stage and made a similar speech.

Those speeches came to me as a complete bomb-shell. The very idea of joining hands with our former enemies to fight against our own kith and kin was fantastic.

I as well as most of the other officers had a feeling of being completely helpless at being handed over like cattle by the British to the Japanese and by the Japanese to Capt. Mohan Singh, whom they gave power of life and death over us.

With all due regard to Capt. Mohan Singh's sincerity and leadership which he displayed later, I had known him well for the last 10 years. He had always been an efficient, but an average officer. The mere fact of being handed over to him, and his announcement as the GOC having powers of life and death over us, made me feel suspicious of the Japanese intentions, as among the Indian Prisoners of War there were some very senior and brilliant officers like Col Gill and Col Bhonsle with at least 15 to 20 years service in the Army, whereas Capt. Mohan Singh had only 8 to 9 years service.

I was fully convinced, knowing Capt. Mohan Singh so well, that politically at any rate, he would not be able to cope with the Japanese political intrigues and we would be exploited by them for their own ends. I, therefore, firmly made up mind not to have any thing to do with this organisation, and inspite of the feeling of frustration and helplessness, the element of traditional loyalty to the King triumphed and not only did I make up my mind to keep out of the INA but as the head of a famous military tribe I felt it my duty to warn others, especially the men I commanded and the men that came from my area, to keep out of it. The advice that I gave them at that time was that if any of them was asked to shoot at his own brethren, he should turn round and shoot at the person asking him to do so.

Three Stages

The period from the time of my surrender in Singapore in February 1942 to the time of my capture by the British in May 1945, can be divided into 3 distinct parts:

Part I 15th February 1942—to the end of May 1942, during which period I was against the very idea of such an organisation coming into existence, and fought against it as vigorously as was possible, under the unfortunate circumstances in which we were placed.

Part II June 1942 to July 1943. Realizing that I had failed in my first object, I decided in the interests of my men, to volunteer for the INA, with full determination that I would do every thing possible to break it or to sabotage it from within, as soon as I felt that it would submit to Japanese exploitation.

Part III July 1943 to May 1945, when I was fully convinced that it was a genuine army of liberation.

I would like to give some details and important events that took place in each of the above given periods.

In the first part, I was against the idea of creating an INA, because

- (a) I realized that the Japanese were out to exploit us, and none of us was politically capable of dealing with them;
- (b) The handing over of all the Indian Prisoners of War to Capt. Mohan Singh by the Japanese made me feel even more suspicious of their intentions, and so I felt it my duty to fight against it.

Move to Neesoon

The next day, 17th February 1942, I went with my Bn to Neesoon Camp, and after a few days I was appointed Camp Commandant.

There were approximately 20,000 Prisoners of War in that camp. The accommodation there was sufficient only for approximately 8000 to 10,000 men.

There were no sanitary arrangements.

There was no water supply.

Hospital arrangements were very poor and we had no medicines.

As a result of this, dysentery and other epidemics broke out.

The discipline of troops had gone off completely, and so I had a very difficult task to perform; but thanks to the strenuous efforts of the camp medical staff, particularly Col Chaudhari, Maj. Elahi Bux, and Maj. Gilani, disease was controlled, and by the efforts of a S & M Unit, electric water and sanitary arrangements were completed.

After the events in Farrer Park I was fully convinced that the Japanese were going to exploit us, and so on reaching Neesoon Camp, one of the first things I did was to organise a block of officers whose object it was to prevent the formation of the INA.

I commanded the Neesoon Camp from March to June 1942, during which period my only concern was to improve the unfortunate lot of the men under my command.

During the time I was commanding Neesoon, the largest Indian Prisoners of War Camp in Singapore, not a single person was ever sent to any concentration or detention camp. I allowed every one to have, and express, his opinion freely and to decide for himself, without any outside pressure.

By the end of May 1942 it had become quite evident that in spite of all our efforts, the INA would come into existence.

In the same month we had to decide whether or not we would volunteer for INA and volunteers and non-volunteers were to be separated. I received orders from the Head Quarters to forward lists of volunteers and non-volunteers to them, for allotment of separate camps to each category.

In view of this new situation, I held several meetings of the 'Block' and it was decided that since we had failed in our first object to prevent the formation of the INA the next best thing was for senior officers to join it with the object of:

- (a) Giving protection and help to Prisoners of War.
- (b) To stop its being exploited by the Japanese.
- (c) To sabotage and wreck it from within, the moment we felt that it would submit to Japanese exploitation.

I, however, advised the rank and file to keep out of it.

In accordance with this decision, in the middle of May 1942, at Neesoon, in the presence of all officers of the camp, I declared myself a volunteer, but gave every one a free choice to decide for himself. I also gave orders that any one trying to persuade any one else to join the INA would be punished. I also asked for the list which had to be forwarded to INA HQ on the following day.

Mosque Meeting

The same afternoon I called a meeting of all Muslim officers in the mosque and told them my reasons for joining the INA. I also told them that they would be separated shortly, and I asked them to give me an assurance that they would not become volunteers, through any force or coercion used against them by the Japanese. They all agreed and said a 'Dua-Khair'—a religious confirmation of the decision taken.

* * * *

Part II Bangkok Conference

Early in June 1942 Captain Mohan Singh called a conference of all senior officers at his residence to discuss the plans for the forthcoming conference to be held at Bangkok.

He revealed that he had to take 90 delegates there on behalf of Indian Prisoners of War. He went on to say that he proposed to take only 30 delegates and 60 proxy votes.

My own feeling was that at Bangkok we were likely to be committed too far and I was not in favour of Indian Prisoners of War. participating in such a conference. In the discussion that followed some misunderstanding arose over the selection of delegates and from NEESOON, the biggest Prisoners of War camp in Malaya, only one delegate and not a single proxy vote was sent to the conference.

Stay at Kuala Lumpur

I arrived at Kuala Lumpur by a goods train early in June and was appointed Commander of all Prisoners of War parties in Malaya. My duty was to tour all Prisoners of War stations in Malaya and put up their grievances to the Japanese General Head Quarters which was at Kuala Lumpur.

At Kuala Lumpur I was ordered by the Japanese to assemble all troops for the Garrison Commander's inspection. The Japanese Commander addressing the Prisoners of War said, 'I welcome you not as Prisoners of War but as our brothers as we are all Asiatics. It is the most ardent desire of all Japanese people that India should achieve its independence as soon as possible and to enable you to participate in the fight for freedom we have made arrangements for re-arming and training you for that purpose.' I realized that the Japanese were out to exploit the Indian Prisoners of War, who resented taking up arms.

I explained to the Japanese Commander that the question of Indian Independence was an affair of the Indians and that the Japanese had no right to force any Indian against his wishes to participate in it. He agreed with me and it was decided that in future the Indian Prisoners of War would be asked to do only labour, and other Prisoners of War duties.

* * * *

A similar trouble arose at Seremban, where on refusal of the Prisoners of War to take up arms, the Japanese fixed machine guns all round their camp, put the camp Commander Lt Ghulam Mohd 3/16 PR in a cell and gave the Prisoners of War 24 hours to think about it and decide, after which, if they still insisted, they would all be shot.

I heard about it and at once rushed to Seremban, with the Japanese GHQ decision given at Kuala Lumpur, and after a great deal of persuasion I was able to make the Japanese there to see our point of view so that future trouble was averted. In a similar manner I visited all Indian Prisoners of War camps in Malaya and ensured that they were not coerced to take up arms or undergo any form of military training under the Japanese.

At Kuala Lumpur the Japanese tried to teach the Indian Prisoners of War Japanese foot drill, words of command and saluting. I refused to allow them to do so, although it will be interesting to know that the English Prisoners of War in Rangoon did this.

While holding the position I managed to secure for the Indian Prisoners of War excellent living conditions—very likely the best given to any Prisoners of War in the Far East.

- (a) Food was excellent—Eggs, Fish, Chicken and vegetables.
- (b) Work was moderate and pay was given regularly.
- (c) There were adequate arrangements for the recreation of troops; they played hockey, football etc. Cinema shows were given in camps and troops could go out and see any picture by paying 10 cents.
- (d) Prisoners of War soldiers could go out of their camp on a pass given by their unit commanders from 10 A.M. to 4 P.M. daily, and on holidays officers could go out in Mufti and visit any civilian friends from 10 A.M. to midnight.
- (e) On Fridays Muslims were allowed to go and say prayers in the Jumma Masjid, and Hindus and Sikhs could go to their respective religious places in the Town on Sundays.

S & M Men Selected for Execution

On one occasion when I was out of the station on tour, the Japanese took away 23 NCOs belonging to 42 Fd Pk Coy R. Bombay S & M, on the accusation that they were too pro-British and selected some of them for execution and made them sign their last will. When I returned from tour I found

this and at once went to the Japanese GHQ and requested them to hand over my soldiers to me. I told them that I was supposed to be the commander of Indian Troops and that in principle, it was wrong for the Japanese to deal direct with my subordinate officers and take away the men under my command without my knowledge.

Finally I told them that if they insisted on doing this I would resign from my appointment. They then told me that I could take away 15 of them and the rest they said they must execute as they were too 'Pro-British' and being Japanese prisoners they were still insisting that they had taken an oath to be loyal, to the British King. They said they could not allow such Indians to live. I explained the full significance of this oath to them and told them that the normal procedure for dealing with any serious offence in the Indian Army was to hold a court of enquiry, and I assured them that I would go very thoroughly into the case, and if in the end the court found their offence of a serious nature I would myself hand them over to the Japanese for punishment. They eventually agreed to this and I brought back all the twenty three NCOs safely to their unit, held a court of enquiry and released all of them.

In December 1942 I was recalled to Singapore. During the period of my stay at Kuala Lumpur as commander of Prisoners of War in Malaya.

- (a) I served them to the best of my ability. Many a time I had to travel by goods train without food and had to face insults and humiliations from junior Japanese officers for the sake of the men I commanded.
- (b) I refused to allow the Japanese to exploit in any way the Indian POW for their own ends and at the same time secured for them good treatment.
- (c) I always upheld the honour and prestige of my country and refused to accept any racial superiority of the Japanese.
- (d) I also induced the Japanese not to arrest any Indian Soldiers who had turned civilians during the War and were honourably earning their living. The case of one Syed Abdul Matlab of 2/16 PR who had opened a tea shop at Serembam Railway Station is a typical one.
- (e) At Kuala Lumpur I helped the Indian destitute civilians as much as I could. There were scores of them dying of starvation. I requested all Prisoners of War to fast for one day in a week and send all the food thus saved to them. The Japanese Commander, on coming to know of this, was so impressed that he gave 20 sacks of rice a month for the destitute camp which we were supporting.
- (f) At Singapore in May 1943, the Japanese ordered officers of 2/12 FFR to provide three hundred men to do guard duties over Japanese aerodromes. The men refused to go, but the Japanese insisted and it looked as if a serious situation would develop. Sub. Fazal Dad Khan of 2/12 FFR then approached me and informed of the critical situation that had arisen. I went to the Seletar Camp with Sub. Fazal Dad Khan, talked to the Japanese Officer and succeeded in convincing him that it was wrong to persuade Prisoners of War to take up arms. After this the Unit was never troubled by the Japanese.

I was recalled to Singapore, in September 1942 and one of the first things I did was to go and pay a visit to all the Prisoners of War camps in Singapore where there were large numbers of men from my area. All along during my stay in Singapore I had been most concerned about the welfare of the Prisoners of War, whom I quite often used to visit and distribute among them my INA pocket money, and clothing and medicine.

There was the case of one Prisoner of War Jam. Mirzaman—2/10 Baluch Regt, who had an ulcer in the stomach; the doctor said that he would not survive. I took him to my bungalow, kept

him with me for over 4 months and through good nourishment, completely cured him and then sent him back to rejoin his unit which was still a Prisoners of War unit. There are several such instances.

On recall from Kuala Lumpur, I was appointed a Commandant OTS which had to be disbanded after a few days, by order of Capt. Mohan Singh, who had some misunderstanding with the Japanese.

I took full advantage of this situation and together with other members of my Block persuaded Capt. Mohan Singh disband the INA. I did so because I knew that the Japanese were trying to exploit us.

I joined the 2nd INA in February 1943, on being told that Netaji S.C. Bose would be coming to Singapore to take over its command.

At this time I also realised that whether we liked it or not, the Japanese were definitely going into India.

I also realised that the fight would, in all probability, be carried into Indian territory as I did not think that the British forces would be able to stop the Japanese advance.

I had also seen with my own eyes the indiscriminate looting and raping in Malaya, and I did not wish it to happen in India. I felt that by going into India we would be able to stop this, or at any rate, I would be much more useful to my country with a rifle in my hand to save the life, property and honour of Indians, than as a helpless prisoner of war in Malaya.

I, therefore, set about to collect such men for the INA who would be prepared to fight even against the Japanese if they proved dishonest, and this fact has been established beyond doubt even by the prosecution witness.

Part III

Netaji's Arrival and its Effect on Me

When Netaji arrived in Singapore, I watched him very keenly. I had never seen or met him before, and did not know very much about his activities in India. I heard a number of his public speeches, which had a profound effect on me. It will not be wrong to say that I was hypnotized by his personality and his speeches. He placed the true picture of India before us and for the first time in my life I saw India, through the eyes of an Indian.

I was most impressed by his selflessness, his absolute devotion to our country, his frankness and his refusal to bow before the Japanese wishes. I knew that in his hands India's honour was safe; he would never barter it for anything in the world. Also when I heard him give a free choice to everyone in the INA to leave its ranks if they were not prepared to make extreme sacrifices and his warning to those who stayed on in the INA to be prepared to face thirst, hunger, forced marches and in the end death and when with my own eyes I saw the enthusiasm of thousands of poverty stricken Indians in the Far East, who gave to the INA all that they possessed and whole families joined the Azad Hind Fauj and became 'Fakirs' for the sake of their country. I knew we had a *real* leader; and when he, in the name of millions of poverty stricken, unarmed and helpless Indians, appealed to us to come forward and sacrifice our lives for *their* liberation; no honourable Indian could have *refused this much* to him.

I found a leader and decided to follow him, and for me, it was the greatest and the most difficult decision of my life, i.e. of fighting against my kith and kin, who were in the British Indian Army in very large numbers, and whom I was certain, I could never induce to see eye to eye with me.

At the back of my mind was the traditional urge of loyalty to the King. I owed all my education to him. My family and my tribe were one of the privileged classes in India, they were all prosperous

and contented. This, too, we owed to the British Government and I knew that no change in India, would bring them any more prosperity. In fact they were likely to suffer by it.

But on the other hand, when I thought of the 'starving millions, who were being ruthlessly exploited by the British, and were being deliberately kept illiterate and ignorant to make this exploitation easier, I developed a great hatred for the system of rule in India, which to me, it seemed, was based on injustice and to remove this injustice I decided to sacrifice my everything—my life; my home, my family and its traditions. I made up my mind to fight even against my brother if he stood in my way, and in the actual fighting that followed in 1944, we actually fought against each other. He was wounded. My cousin and I were fighting each other in Chin Hill, almost daily for two months.

In short the question before me was the King or the Country. I decided to be loyal to my Country and gave my word of honour to my Netaji that I would sacrifice myself for her sake.

Differential Treatment

Another thing, which has always upset me, has been the difference of treatment between an Indian and a British soldier.

I saw with my own eyes that as far as fighting was concerned there was no difference. The Indian soldier stood his ground and fought to the last. Why then there should be so much difference in their pay, allowances, food and living conditions I have never been able to understand. It seemed to me to be extremely unjust. Secondly, I would also like to point out that the INA was raised, organised, trained and led in the field entirely by Indians. Comparatively junior officers commanded Divisions and Brigades; VCs commanded battalions, and under the circumstances, they did not do it 'too badly'. But on the other hand, out of 2½ millions of Indian in the Indian Army, not a single officer was given the command of a Division, and only one Indian was given the command of a Brigade.

There were some very senior and competent Indian officers in the Indian Army, and it appeared to me that the lack of talent could not have been the reason for more Indians not getting higher commands. This also appeared to my mind to be very unjust.

I was a soldier and once I had taken the decision I concentrated on fighting from the first to the last.

September 1943, Netaji decided to select a picked Regt consisting of the cream of INA and send it into action to form the spearhead of the advance into India. It was known as 'Subhas Brigade' and I was selected to command it. The brigade took part in fighting in the Arakan, Haka-Falam and in the vicinity of Kohima.

In December 1944, I was appointed Commander of No. 1 Division which was at Mandalay then.

In February 1945, when No. 1 Division HQ was at Pyinnam, Netaji came there and told me that No. 2, a fresh Division of the INA was moving to the front in the vicinity of Popa, and that unfortunately its Division Commander Col Aziz Ahmed had been injured in an air raid. He, therefore, ordered me to take over its command. I did so, but in April 1945 I had to fall back to Pegu, where I was captured by the British forces.

In joining the INA I was prompted only by motives of patriotism. I fought a straightforward and honourable fight on the battle field, against most overwhelming odds, I was further handicapped by lack of proper medical transport and ration supplies, and for long periods I, with my troops, had to live on paddy and jungle grass, when even salt was a luxury for us.

During these operations, I, with my men, marched over 3000 miles in Burma.

I gave good treatment to the British troops, whom my soldiers captured, and expected to receive the same treatment for my troops when they surrendered as Prisoners of War.

Finally Sir! I wish to bring to your notice, and to the notice of my country men that no mercenary or puppet army could have faced the hardships as the INA did. We fought only for India's Independence.

I do not deny having taken part in the fight but I did so as a member of the regular fighting forces of the Provisional Government of Free India who waged war for the Liberation of their Motherland according to the rules of civilized warfare and to whom the status of belligerency had been accorded by the British Forces opposing us. I, therefore, committed no offence for which I can be tried by a Court Martial or by any other Court.

As for the charge of abetment of murder even if the facts allege by the prosecution were true, I could not be held to have committed any offence. Mohd Hussain, who had voluntarily joined the INA and submitted himself to its discipline, admittedly attempted to desert and to induce others to desert at a very critical juncture. If he had succeeded in his attempt he would have carried all information about the force under my command to the enemy, which would have meant complete disaster for us. Under the INA Act, as under the Military Codes of all civilized nations, the offence attempted to be committed was the most serious and heinous one punishable with death. It is, however, in fact wrong that I sentenced him to death or that he was shot in execution of a sentence passed by me. Mohd Hussain and his companions were only informally produced before me, there being no crime report drawn up. I only very strongly admonished Mohd Hussain and told him that he had committed an offence for which he could and should be shot. I, not ever, left the matter there and asked the case to be put up again before me or the Regimental Commander who had in the meanwhile been vested with the power to try such cases, if the men concerned attempted to misbehave a second time. The case never came up before me again presumably because the contingency never arose.

5. Statement made in the Court by P.K. Sahgal, 7 December 1945

In the General Court Martial of Shah Nawaz and others.

Statement of P.K. Sahgal accused:

I deny being guilty of any of the offences with which I have been charged. I also maintain that my trial before this Court Martial is illegal.

After serving one year's attachment with a British Regiment, I joined the 5th Battalion of the Baluch Regiment in February 1940. In October 1940 the OC of my unit was asked to send a suitable officer to fill the vacancy of a Company Commander in the 2nd Battalion of the same Regiment which was proceeding overseas on active service. I was specially chosen for being posted to the 2nd Battalion.

I disembarked at Singapore with my new unit on 11.11.1940. A fortnight later we were sent to Kota Bharu I Kelantan State, where we were entrusted with the task of the preparation and manning of beach defences. Major Gen. Murrey Lyones, then Commander of Northern Area in Malaya, Major Gen. Garstow, Commander of the 9th Indian Division, Lt Gen. Health, the Corps Commander, and Lt Gen. A.E. Percival GOC, Malaya Command, inspected our work and complimented me on the very remarkable work done by our company.

During the Malayan Campaign, the Company that I commanded distinguished itself in more than one encounter with the Japanese. Although, generally, we were fighting a retreating battle, on occasions we were able to take the offensive and inflict very heavy losses on the enemy. On

one occasion my Company annihilated a Japanese Force, approximately 500 strong, and captured a large quantity of enemy arms and equipment. This incident was noticed in the Press.

During the night of the 30/31st January 1942, we crossed the Johore Baru Causeway and reached Singapore. Although, my Battalion had been in action without a break from the day the hostilities started and had suffered heavy casualties, and its officers and men were completely exhausted, and their morale was low owing to constant withdrawals and intense enemy air activity, they had immediately to undertake the defence of Singapore.

The Japanese landed in Singapore on the 8th February and on 10th February we marched out to counter-attack the enemy and drove them back into the sea in the Woodlands area. Unfortunately, the next day we were ordered back to relieve the Australians in the Mandai Hill area. While we were moving along the Mandai Road, the Japanese launched an attack. The Australians abandoned their positions and ran away and the Japanese got possession of the high features on both sides of the Road. We were caught on the Road and my Company, which was the leading Company of the Battalion, suffered most heavily. My Company Subedar and three other men of the Company HQrs. were killed within five minutes. The Company HQrs were cut off from the rest of the Company and although the Japanese beckoned my men to go over to them, I managed to reassemble, in an hour or so, the whole Company except three or four men whom the Australians had taken away with them. The Company was completely separated from the rest of the Battalion and we continued fighting on our own until the afternoon when we managed to rejoin the Battalion. The same night we were withdrawn to Neesoon where we stayed for twenty-four hours. The Japanese made three or four determined attacks to break through our positions but we did not allow a single Japanese to go through and the enemy lost three medium tanks in the engagement. During the night of the 12/13th February we were withdrawn to Bidadari where we eventually surrendered.

As we were withdrawing southwards on the mainland of Malaya, I was often approached by the Indians living in those areas. They all asked me the same question: 'You are leaving us behind, what is going to become of us? We contributed all we could for the defence of Malaya and now why you leave us at the mercy of Enemy? The Chinese and Malayis all hate us. They will loot and plunder our property, disgrace our women and murder us.'—There was little that I could do, or even say, to help them. The only thing that I could tell them was to trust in God, and to hope for the best. My heart went out in sympathy to them but I felt helpless and ashamed because I was unable to do anything for them.

On 17th February 1942, in a meeting held at the Ferrar Park in Singapore Lt Col Hunt, as the representative of the British, handed over the Indian Officers and men, to the Japanese like a flock of sheep. This came as a great blow to us all. The Indian Army had fought bravely against the heaviest odds, and in return the British High Command had left them completely at the mercy of the Japanese. We felt that the British Government had, on its own, cut off all the bonds that had bound us to the British Crown and relieved us of all obligations to it. The Japanese handed us over to Capt. Mohan Singh, who was styled as the GOC of the INA and we were left free under him to fashion our own destiny. We bonafide believed that the British Crown having ceased to provide any protection to us could no longer demand allegiance from us.

After formally taking over the Indian Officers and men, Capt. Mohan Singh proclaimed his intention of raising an INA for the liberation of India. He was acclaimed by all those who were present there and they all raised their hands to show their willingness to join the Army.

When call for volunteers was made by Capt. Mohan Singh, large numbers of officers and men came forward to enlist. There were, however some who while equally desirous to see their motherland free from all foreign domination, were sceptic of the intentions of the Japanese in

encouraging the formation of the INA, and I was one of them. I had a feeling that the Japanese only intended to exploit the propaganda value of the proposed INA but had no desire of helping the cause of Indian freedom. I, therefore, in spite of my most ardent desire to see my country free at the earliest possible moment, refused to volunteer. In May 1942 volunteers were separated from non-volunteers and I with my Battalion was sent to the Tengah Aerodrome Non-volunteer camp where I stayed as a non-volunteer till the end of August 1942. During this period no pressure of any kind was brought to bear upon me or other officers or men in my camp, numbering about ten thousand, to volunteer for the INA. The rations provided to us were, considering the prevalent circumstances, quite good and medical aid was satisfactory.

In June 1942 I was invited to attend the Bangkok conference but I declined the invitation. However during the period between June and the end of August 1942 events of very far-reaching importance took place which compelled me to revise my earlier decision to keep out of the INA. In the first place, the Japanese forces met with the most astounding successes in every theatre of the War and an attack on India appeared to be imminent. Every one thought that the Indians would soon be exposed to a Japanese onslaught and even the BBC London sent them messages of sympathy in their coming misfortune. The last Indian drafts that had arrived to reinforce Singapore consisted only of raw recruits and gave one a fair indication of the type of men available for the defence of India. Officers who came to Singapore shortly before its surrender told us that there was no modern equipment available for the army in India. I was told that the soldiers were being trained with wooden rifles and light machine guns and that the defences on the North-Eastern borders of India were almost non-existent. Every one of us felt convinced that if the Japanese invaded India, there was none to resist their advance. This was a most distressing thought for all of us.

In the second place, on the 8th August 1942, the Congress Working Committee passed the famous 'Quit India' resolution. Countrywide demonstrations followed the passing of this Resolution. The All-India Radio Delhi and the BBC drew a curtain over the happenings in India. However, certain secret stations, supposed to be functioning somewhere in India, and the Japanese and other Axis-controlled Radio Stations outside India broadcast freely about these happenings and the measures taken by the Government to suppress the Freedom Movement. From the details broadcast by these stations a veritable reign of terror, similar to the one that had followed the Revolt of 1857, seemed to have set in. In view of the complete reticence of the British and the Indian Press and the official broadcasting agency on the subject, we had no reason to doubt the correctness of these broadcasts. Needless to say that they filled us with a most terrible anxiety concerning our near and dear ones whom we had left behind and with the bitterest resentment against the British Imperialism which seemed to be bent upon keeping our country under perpetual subjection.

I and those of my friends with whom I was on intimate terms, every day discussed amongst ourselves the very critical situation then existing in India and the best way in which we could help her. We knew only too well the fate that would be in store for our countrymen—when a new foreign power invaded India. The British Government claimed the sole responsibility for the defence of the country and had with contempt rejected the offer of her own leaders to take charge of and organise such defence. The information we had about the state of the defences in India was by no means encouraging and the most optimist amongst us could not be sure of the ability of the British to stop the Japanese advance. The civilian population could not even think of organising any resistance and must submit to untold sufferings and hardships. The 'Scorched earth policy' which the British Government had already decided upon, and even begun to follow, must add very considerably to the disaster. After protracted discussions the only solution that we could

think of for our country's problems was the formation of a strong and well-disciplined armed body which should march into India side by side with the Japanese army, and while fighting for the liberation of India from the existing alien rule, should be able and ready to provide protection to their countrymen against any possible molestation by the Japanese, and to resist any attempt by the latter to establish themselves as rulers of the country in place of the British. This being also the avowed object of the INA, the question that began to agitate the minds of us, who had so far stayed away from that Army was whether it was not our duty to join that Army for securing the freedom of our country—not so much from the British who could hold her no longer but from the Japanese who were bent upon invading India. The protection that the INA had already been able to give to Indian life, property and honour in Malaya and Burma seemed to furnish another very strong argument in favour of joining it.

For days I passed through a terrible mental struggle. On the one side was my loyalty to my former comrades with whom I had fought shoulder to shoulder and on the other was the urge to save my mother country from the horrors that stared her in the face. After a great deal of careful thought and deliberation I came to the conclusion that I must join the INA, which must be built up into a strong, well-armed, well-equipped and disciplined force, dedicated to the cause of India. Every soldier of the Army must be prepared to make supreme sacrifice for the sake of India, and the Army must be prepared to fight even the Japanese if they attempted to harm the Indians or to establish themselves in India.

I did not join the INA through any fear of Japanese ill-treatment or from any ulterior or mercenary motives. In September 1942, as an INA Captain, I only received eighty dollars a month whereas, if I had stayed out of the INA, I would have received one hundred and twenty dollars a month.

I joined the INA from purely patriotic motives. I joined it because I wanted freedom for my motherland and was ready to shed my blood for it. Another reason why I joined it was that I wanted to safeguard the honour of Indian women and the lives and property of my unarmed countrymen in Burma, Malaya and India. I joined for a noble cause and I never stopped to coerce or even to persuade any one to join the INA against his wishes. So far as I am aware, nobody ever coerced any one to join the INA. The recruitment to the INA to my knowledge was purely voluntary. The evidence given by the prosecution on this point is false. In any event, I had nothing to do with any of the alleged atrocities and have no knowledge about them. From the very beginning I was convinced that our strength lay in our selfless devotion to our cause and my aim was that our army should be composed of only those who were willingly prepared to shed their blood for Mother India. For this very reason, before proceeding to the front, I explained at great length to the Officers and men under my Command the noble ideals for which the INA had been raised and I also told them the grave dangers, difficulties and hardships that lay in the way of the fulfillment of those ideals. I warned every man that if he was not willingly prepared to fight and suffer for those ideals he need not proceed to the front. Many who did not consider themselves physically or mentally fit to participate in the operations decided to stay behind. They were not subjected to any force or humiliations nor were they punished in any way. They were all transferred to the Reinforcement group and left behind in Rangoon. On arrival on the front line, I gave another chance to those who did not wish to continue in the front line to return to the base. Those who took advantage of this offer were returned to Rangoon without being punished.

When I arrived in Popa, as I did not consider it honourable that any man should be kept in the ranks of the units under my command and made to fight against their wishes, before going into action, I expressly and publicly told all the men under my command that such of them as were

desirous of going over to the British could do so at that time provided they left their arms behind and went in one organized party whom I assured a safe conduct through our lines.

I count a number of Englishmen and women among my very best friends. Against the English people I never cherished any enmity. To the officers and men under my command I had issued explicit instructions that any Prisoner of War captured by them, be he of any nationality, was to be treated kindly.

Till the end of November 1944, I was Military Secretary in the Headquarters Supreme Command, INA and for a time officiated as Assistant Chief of the Staff. In December I was given the command of a Regiment which fought in the Popa Area. I took part in this fight as a member of the regularly organised fighting forces of the Independent Provisional Government of the Free India which fought according to the rules of civilized warfare for the liberation of my mother-land from foreign rule. I claim that in doing so I committed no offence. On the other hand I have served my country to the best of my ability. I claim further that I am entitled to all the privileges of a Prisoner of War. In my Note of the 28th April 1945, to the Commander of the British Forces to whom I and the Officers and men fighting under my command surrendered at Mayyan Hill (the receipt of which Note is admitted by the Headquarters, Bahadurgarh Area in their letter No. J 900/50 dated 12.10.45, but which was stated in the letter to be 'Unavailable') I said quite plainly that we were ready to surrender only as Prisoners of War. On receipt of this Note, surrender was accepted without objection to the terms on which we had offered to surrender and after the surrender we were actually treated as Prisoners of War. Had we been told that surrender on the terms offered by us was not acceptable to the British Commander, we were determined to fight on and were in a position to do so because we were nearly six hundred strong, fully armed and equipped, and each one of us was prepared to shed the last drop of his blood for the sake of his country.

From the 13th February to the 12th March 1945, I was officiating as Division Commander in the absence of Col Shah Nawaz Khan. In my capacity as Divisional Commander I had to try on 6.3.45 four Sepoys, Hari Singh, Duli Chand, Daryao Singh and Dharma Singh who had been committed for trial by Col G.S. Dhillon for offences of desertion and attempting to communicate with the enemy, under Sections 35 and 29(c) of the INA Act. They were found guilty and were sentenced to death. The sentence was, however, not carried out, the convicts, like many others who were similarly tried and sentenced about that time, having been pardoned on their expressing regret and giving an assurance not to misbehave in future. The fact of the sentence having been passed, was, of course, used for its propaganda value in order to deter others from deserting.

Even however, if the sentence had been carried out, I could not be charged with the offence of abetment of murder. The four culprits had voluntarily joined the INA and had submitted to its discipline, and had voluntarily and willingly agreed to participate in the coming fight. They, having shamefully deserted while in action and in the face of the enemy, and committed an offence punishable with death under the INA Act and under the Military Law all the world over. The information which they sought to convey to the enemy would have meant the complete annihilation of the entire force under my command. The sentence was passed after proper trial in the exercise of authority lawfully vested in me.

Although the INA failed to achieve its primary object of liberating India, every one of us has the satisfaction that it fully accomplished its objective of protecting Indian life, property and honour in Malaya, Burma and other parts of South East Asia against all aggressors. The telegrams that I have received, after the commencement of this trial from the President of the Indian Christian Association Rangoon and the President of the Burma Indians' Association and which I am attaching to this statement bear ample testimony to this.

6. Statement Made by G.S. Dhillon, Lieut, 7 December 1945

My story is a simple one. I was enlisted as a sepoy in the 4th Bn of the 14th Punjab Regiment on 29th May 1933. In 1936 at the recommendation of Lt Col C. Hungerford Jackson, I was selected to do a prospective cadet's course at Kitchner College Nowgong. Before this I had had a long struggle in the ranks. Eventually I was selected to do a Gentlemen Cadet's course at the Indian Military Academy Dehra Dun.

It was in this Institution that I learnt to serve my country above everything else. There, I read 'The honour, welfare, and safety of your country comes first, always and every time. The comfort, safety and welfare of the men you command comes next. Your own safety and comfort comes last, always and every time.'

Ever since I read this Motto, the sense of duty towards my country and my men has under all circumstances reigned supreme in my thoughts. It was with this motto in front of me that I served my country as an officer in the Indian Army. After joining the 1st Bn 14th Punjab Regiment as a 2nd Lieut on 30th April 1940, I remained throughout with my unit, and moved overseas with it. We arrived at IPOH in Malaya on 18th March 1941. Then we went to Sunget Patani. Here I had the privilege of officiating under my CO Lt Col L.V. Fitz Patrick as adjutant for about two months. In June 1941 I came back home to do an All Arms Signal course at Army Signal School, Poona.

Just before the outbreak of the War in East Asia, I rejoined my unit at Jitra on 5th December 1941. During the Malayan Campaign I was the Bn Signal Officer. My Bn was the foremost unit in Jitra Sector to come in contact with the Japanese forces. We held them for three days. After a battle at Changlun, as we were withdrawing to Penang which was to be our main defensive line, we were surprised by the enemy tanks. The CO and most of the officers and men were cut off. On 12 December 1941 after a day of roaming about I managed to contact Capt. Habib-ul-Rahman who was also in a similar plight. We managed to collect about 80 men of different units including British. The main road being in the Japanese occupation we had to cut our way through jungles and paddy fields. On the 13th early in the morning, we were attacked by the enemy and most of the men were cut off except about 25 of our own unit. During the day, however, we managed to gather some more stragglers and in the evening when we were about two miles from Alor Star we were informed by some civilians that Jitra and Alor Star had fallen. We could not believe this and Habib instructed me to follow him by bounds while he with a small party proceeded towards Alor Star to find out the situation for himself. We had hardly advanced a mile when we saw certain people running away from the town. They too told us about the fall of Alor Star and asked us to withdraw. We did so, and on 14th evening sailed in small coastal boats for Penang from Kuala Kedah. On arrival at Penang we with our party reported at 3 MRC within 15 minutes of our arrival we were ordered to leave Penang. On 16th morning we arrived at Ibong Tibal about 26 miles from Penang on the main land. Here Habib and myself were given the command of a company each and were ordered to defend two bridges. I was placed in command of a Gurkha Company formed out of the MRC and a detachment of 1st Bahawalpur Infantry. I remained in position until all our troops North of that point had withdrawn. Eventually on 19th December we were ordered to withdraw. We fell back to Taiping and then to IPOH, where I rejoined the remnants of my Bn.

I had not had a single whole meal ever since the war had started, i.e., the 8th December. Rest was out of question during such a retreat. I had an attack of fever and was admitted into a Hospital and then evacuated to Singapore. On my discharge from the Hospital I reported for duty at 7 MRC. I tried to rejoin my unit but red tapes caused so much delay that by the time arrangements were made for my conveyance, the battle of Singapore had begun. During stay with the 7 MRC,

I officiated as the Indian Wing Commander and Adjutant. The situation became such that the Commandant of the 7 MRC wanted my presence in order to control the Indian troops who were getting dissatisfied due to discriminatory treatment. The Commandant said that he had great confidence in my way of handling the troops.

By the 11th February 1942 we began hearing rumours that Singapore was going to surrender. I could not believe it. While evacuating from Bidadari Camp where 7 MRC was stationed, on the way to town I saw thousands of Indians gathered in an open space. They had hoisted many Indian National Flags. I pointed this out to a British Colonel who was with me. He said 'I don't blame. If we cannot defend them, they have to look after themselves.'

On 13th evening we were told officially that 500 of our Aeroplanes would arrive by the 15th morning and that the Americans were going to land at Penang and came down South. But they never did. On the 15th at 22.00 hours the CO called for me and told me that Singapore had surrendered unconditionally. This came to me as a great shock. With a heavy heart and tears in my eyes I dropped my revolver, and ordered my men to collect their arms. A still bigger shock came when the CO told me that the Indians would march off to Farrer Park. Col Hunt representing the British Malayan Command handed us over to Major Fujiwara, a representative of the Japanese Army, who in turn handed us over to Capt. Mohan Singh who was introduced to us as GOC Indian National Army. I felt like one deserted by the British in a state of utter and tragic helplessness.

Mohan Singh, spoke. He expressed his intention of raising an Indian National Army for the liberation of India. His declaration was received with great enthusiasm and a feeling of hope and joy by all of us present at Farrer Park.

I had known Mohan Singh before, as we belonged to the same unit. He was one of my dearest friends and I had confidence in him. However it was after a long mental struggle that I could persuade myself to accept him as GOC. With my knowledge of the recent events and of the state of the Eastern defences of India I felt convinced that Singapore, the biggest naval base in the world, having surrendered so quickly, there was no possibility of the British being able to defend or hold India against Japanese invasion.

Mohan Singh's task was a hard one. He had never even imagined that one day he would have to handle 75,000 officers and men under circumstances unprecedented in the history of the world. Discipline had to be maintained amongst a demoralized, defended, and disappointed army. Freedom of political thought had to be given as the INA was entirely based on a voluntary basis. On top of all this lives of officers and men suspected by the Japanese have to be saved. Our civilian nationals had to be protected against all sorts of dangers. And all this had to be done consistently with India's National honour and laws of humanity. And in doing all this he had constantly to deal with highly suspicious people like the Japanese.

I had seen how people in Malaya had suffered as a result of the Japanese invasion in consequence of the utter lack of preparation on the part of the British Government which had undertaken responsibility for her defence, and I shuddered to think of the plight of my countrymen on invasion of India. It was at this time that I got to realize the full significance of the havoc done to my unfortunate country by the one-and-a-half century of the British rule. While the British, I thought to myself, had exploited all our material resources for their own imperialistic wars, they had not only done nothing to prepare us for the defence of our mother-land in case of need, but had, in order to keep us in bondage for all time to come, completely emasculated us. I felt that if India had been free and in a position to look after her own defences no aggressor could have thought of crossing her borders. In the INA proposed to be organised by Mohan Singh I saw a new hope for India. I felt that if a strong and willing National Army could be raised at that juncture it could not only liberate India from foreign rule but could also resist the Japanese in case they should try to go

back upon their word and instead of helping us to win our freedom, should seek to exploit our country for their own purpose. Such an army could also give protection to our Indian brothers and sisters in the Far East against aggression by people belonging to other nationalities. Mother India seemed to be calling me and I decided to respond to her call and threw in my lot with Mohan Singh.

I cooperated with Mohan Singh in the organisation of the INA till 29.6.42 when I became very ill and had to go to the hospital. On being discharged from the hospital on 2.10.42 I was sent to Penang for reasons of health, I still being not quite well and fit for work. I returned from Penang about the time when very sharp differences had arisen between Mohan Singh and the Japanese culminating in the arrest of the former and dissolution of the INA by him. On receiving the assurance that Netaji Subhas Chandra Bose would come to lead the movement I decided to continue in the second INA.

Recruitment to the INA at all times was on a purely voluntary basis. To my knowledge no coercion or force was even used to induce any prisoner of war to join the INA. In fact use of force or coercion for such purpose was wholly unnecessary because we always had a very large number of surplus volunteers whom we were unable to arm or put under training for want of equipment. The evidence given by some of the prosecution witnesses that prisoners of war were sent to Concentration or Detention Camps to coerce them into volunteering is absolutely false. There was no concentration camp in existence at all. There was a Detention Camp to which only persons found guilty of indiscipline or other offences were sent by way of punishment. That camp had, however, nothing to do in any shape or form, with enlistment in the INA. On the contrary persons confined in the Detention Camp were not accepted as volunteers even if they offered to do so, because detention in that camp for any period indicated some defect of character and was a disqualification for membership of the INA.

These witnesses have told false and distorted tales to save their own skins and to curry favour with the Government. In all lectures delivered by me I warned my audience in the clearest possible terms that they should volunteer only if they loved their country and were willing and able to bear all kinds of hardships and sufferings in her cause. At the time of going into action I again warned the men under my command that we had to fight against an enemy much better equipped and far superior in numbers and materials and that anybody who, either for want of courage or otherwise, did not wish to go to the front need not do so and could, if he so desired, be sent back to the rear areas. Some of the officers and men did show their unwillingness and about 200 such men were sent back to Rangoon before my regiment left Myingyan. This option I gave to my command at every stage of the campaign and it was due to this particular reason that although for weeks I stayed within two miles of the enemy lines yet none of my men ever went and reported my location to the enemies. Many a time I had to go without water for 20 to 30 hours, and without food for two or three days. If as a Brigade Commander I had to undergo these hardships, my men must have suffered much more and yet they accompanied me. No men who had joined under duress or coercion could have done so.

It is true that I committed four men for trial on charges of desertion and attempting to communicate with the enemy. It is however quite untrue that those men were shot at my instance or, under my orders. On the day and at the time they are said to have been shot I was confined to bed and unable to move. In fact the sentences of death passed on these men were subsequently remitted by the Divisional Commander and were never executed.

Whatever I did, I did as the member of a regularly organised force fighting under the Provisional Government of Free India and am therefore not liable to be charged with or tried under the Indian Army Act and the Criminal Law of India for any offence on account of any act done by me

in the discharge of my duties as a member of such force. I am further advised that in point of law my trial by the Court Martial is illegal. I joined the INA with the best and purest motives. As a member of the INA I was able to help a number of prisoners of war with money and materials. The INA was able to protect life, property and honour of the Indians residing in the Far East. It saved the lives of many civilians and prisoners of war who had been sentenced to death by the Japanese on different charges. It successfully persuaded the Japanese to refrain from bombing civilians and their properties in towns in India. The Indians in the Far East showed their appreciation of the services rendered to them by the INA by contributing crores of rupees to the funds of the Provisional Government of Free India.

* * * *

I respectfully maintain that the INA rendered distinguished service to 2½ millions of Indians who owed allegiance to the Provisional Government of Free India, and was actuated by the most patriotic motives.

G.S. Dhillon

7. INA Trial: Evidences by Defence Witnesses

(i) Evidence by S.A. Ayer Defence Witness

Newspaper report on evidences and cross-examination of S.A. Iyer, Publicity and Propaganda Minister Provisional Government before Court Martial trying Capt. Shah Nawaz Khan, P.K. Sahgal and Lt Dhillon at Red Fort on 11 December 1945.

Hindustan Times, 12 December 1945

New Delhi, Tuesday, 11 December 1945—‘The establishment of the Provisional Government of Free India was welcomed by Indians in South-East Asia as giving the Indian Independence movement a definite status in the eyes of the world and, apart from the fight for India’s independence, they had a feeling of security because of the existence of the Provisional Government and the INA,’ said Mr S.A. Iyer, the sixth defence witness, who gave evidence today.

Mr Iyer, who was a Minister of the Provisional Government of Azad Hind, stated that he was in Bangkok when the Japanese declared war. On 10 December 1941, he left Bangkok and tried to get back to India via Burma, but could not succeed as the frontier had been closed two days before he reached there.

In the middle of June 1942 a conference of Indians all over East Asia was held in Bangkok. Representatives from Thailand, Burma, Malaya (including Singapore), Indo-China, Java, Sumatra, the Philippines, Shanghai, Hong Kong and Japan attended the conference. The Indian population in East Asia at that time was roughly between two-and-a half millions and three millions. Witness joined the conference as a spectator.

In July 1942, witness joined the headquarters of the Indian Independence League, which was established in Bangkok. The primary object of the Indian Independence League was, as far as witness understood at that time, to win the independence of India. Witness was appointed to take charge of the publicity department of the League.

We left Bangkok at the end of February and reached Singapore on March 3. There he met Rash Behari Bose, President of the Indian Independence League, who told him that he had decided to shift the headquarters from Bangkok to Singapore as early as possible. Arrangements were then taken in hand and shifting started by April 1943. Witness continued to function in his office.

The Indian Independence League had regular membership in all South-Asiatic countries, and the membership at that time was about three-quarters of a million.

Netaji Subhas Bose arrived in Singapore on 2 July 1943, and on 4 July, 1943, a conference of delegates from all countries in East Asia was held in Singapore. At that conference Rash Behari Bose formally handed over presidentship of the Indian Independence League to Netaji Subhas Chandra Bose.

Rash Behari Bose told the delegates and the audience that he had brought them a present from Tokyo, namely Netaji Bose, and that he was handing over the presidentship to Netaji. There was an outburst of frenzied cheering at this announcement.

In his address Netaji Bose announced that he intended to establish a Provisional Government of Free India as early as possible. This was also received very enthusiastically.

On 21 October 1943, another conference of delegates from Indian Independence League branches in East Asia was held in Singapore. Netaji Subhas Bose, after the general secretary had read his report of the progress of the League, announced the establishment of the Provisional Government of Azad Hind. The announcement was received by the delegates and all those present with loud applause and cheering.

After announcing the names of members of this Government, Netaji Subhas Chandra Bose himself took the oath of allegiance to India. Thereafter other members of the Council took the oath of allegiance to India and to Netaji. The entire proceedings were punctuated with outbursts of cheering and shouts of 'Subhas Bose Ki Jai', 'Azad Hukumat Ki Jai' and 'Azad Hind Ki Jai'.

Witness was then shown a photograph taken at the proclamation of the Provisional Government of Free India and another of ministers of the Government, including witness.

After the establishment of the Provisional Government, witness said they declared war on Britain and America. Witness was in that Government as Minister of Publicity and Propaganda. The Provisional Government used the machinery of the Indian Independence League as its own executive.

The proclamation of the Provisional Government and names of ministers contained in a document were shown to witness. Witness said they were correct to the best of his recollection.

Questioned about the activities of the Provisional Government, witness said that the Azad Hind Government through the League provided for education of Indians on national lines and for medical and other relief also. The Government direct the INA to give protection to Indian nationals wherever and whenever they needed it, particularly against any lawlessness.

Witness was in Singapore from 3 March 1943, to February 1944. In December 1943 branches of the Indian Independence League in Malaya set about getting signatures of members of the League to a pledge of allegiance to the Provisional Government of Azad Hind.

A regular monthly bulletin was published by the Malayan branch of the League. In its issue dated 16 December 1943, there were instructions for the League branches which read as follows: 'Indians in East Asia today are no more subjects of an alien Power. They are proud citizens of the Provisional Government of Azad Hind.'

'To bring this home to the mind of other Indians in Malaya and to rouse our community to a full realization of the responsibility to the new status, it has been decided, to ask each member of the Indian Independence League to take an oath of allegiance to the Provisional Government of Azad Hind. The detailed directions regarding these have already been sent to the branches along with the form of the oath.

'Each member, on taking an oath, will be given an "oath of allegiance card" and the Indian Independence League membership card he or she now holds will be taken back by the officer administering the oath and destroyed.

‘The privilege of owing allegiance to our Government will be extended only to members of the Indian Independence League for any Indian who is not a member of the League cannot be considered as a true Indian. As Netaji said in his speech at Shonan on 25 October “We cannot consider them as Indians or friends. There is no place for them in India”.’

Witness was shown a list of persons who took the oath of allegiance, which showed a total of 2,32,562 up to June 1944.

Q. What were the resources of the Provisional Government?

A. The Provisional Government collected donations from Indians throughout East Asia. The money that was collected was kept in the ‘Azad Hind Bank in Burma’. Donations were in cash and kind and included foodstuffs, metalware or anything that could be of use to the INA.

Witness had seen a return of the donations received in November 1943, showing 5,343,956 dollars in cash and 86,310 dollars in jewellery, etc. In July 1944 the total was 15,354,104 dollars. The Azad Hind Bank was established in Rangoon in April 1944. Mr Dina Nath was one of its directors and witness was chairman of the Board of Directors.

When Mr Subhas Chandra Bose took over charge of the INA he became the Supreme Commander. Witness knew that recruitment to the INA was absolutely voluntary. They had always surplus volunteers whom they could not train. There was a training school for training civil administrators in Singapore. This school had been established within a few months of the arrival of Netaji in Singapore.

Q. What were the relations between the Nippon Government and the Provisional Government of Azad Hind?

A. The relations were as between two allies having dealings on a footing of equality.

Further examined by Mr Bhulabhai Desai, witness stated that he lived in the bungalow of Mr Subhas Chandra Bose from April 1944 to April 1945.

Q. Can you give the details of any actual controversies between the Japanese government and the Provisional Government of Azad Hind in which the latter maintained their position?

A. I can remember at least two or three instances of which I have personal knowledge in which the Provisional Government maintained their position. In March 1944 a conference was held which was attended by Mr Subhas Chandra Bose and some Japanese officers. I was also present at the conference. The discussions were regarding the establishment of a War Council to carry on operations on Indian soil. The Japanese wanted that a Japanese should be the chairman of the Council, and adduced arguments in support of their claim. Netaji resisted the suggestion and gave his own reasons why he did so.

The argument of the Japanese was that a Japanese chairman was necessary for convenience. Netaji, however, took his stand on principle and said that he could not accept anything that would in any way compromise India’s integrity, sovereignty and independence. His counter-suggestion was that the chairman should either be an Indian or the Council should be without a chairman, its members, both Indians and Japanese, being equal in status. Netaji was able to carry his point and no Japanese was appointed chairman of the Council.

There is another instance of the Provisional Government having carried its point through. At a conference attended by the Japanese and representatives of the Provisional Government the Japanese said that they would have been glad to receive prior intimation of the appointment of Ministers for Supply and manpower, because their appointment indirectly or directly affected the Japanese war effort.

But Netaji maintained that it was purely an internal affair of the Provisional Government, although he would not mind informing them about such appointment after they had been made as a matter of courtesy.

He maintained that attitude till the end. I give another instance. Netaji had drawn up a scheme under which no Japanese firm could be allowed to operate in the liberated area, and no other bank except the Azad Hind Bank was to be allowed to function in the liberated area.

Q. What did the Provisional Government do for the protection of Indian in Malaya and Burma?

A. They arranged for medical relief and other social welfare work through the machinery of the Indian Independence League. Moreover, their education on national lines was also carried on.

Witness added that there were four broadcasting stations attached to the Azad Hind Government. As Minister of Publicity and Propaganda he was responsible for the functioning of those stations.

Q. Was there any outside control on the functioning of these stations?

A. No.

Further examined witness stated that there were civilian volunteers in large numbers from Malaya and a comparatively small number from Burma and a proportionate number from other South-East Asia countries. They had donations in the shape of grain from Indian merchants.

Cross-examination of S.A. Ayer

Cross-examined by the Advocate-General, witness stated that he was a Press correspondent in 1942. He was present at the Bangkok Conference. On his attention being drawn to a resolution purporting to have been passed at the Bangkok Conference demanding clarification of the Japanese war aims regarding India's independence, witness said that a resolution on those lines had been passed by the conference.

Q. In fact the Japanese never made a formal clarification of their aims on those lines?

A. I am not aware of it.

Witness added that he was not aware of the proceedings of the Council of Action appointed by the Bangkok Conference nor about the resignation of its members except the President, Mr Rash Behari Bose. He was in Bangkok in December 1942, whereas Mr Rash Behari Bose had gone to Singapore. Witness remembered that a resolution about property belonging to absentee Indians in Burma and Malaya was passed and an absentee Indian Properties Association was formed by Indians in Burma. The association worked under the direction of the Indian Independence League. He also remembered that a resolution inviting Mr Subhas Chandra Bose to East Asia was passed.

His knowledge of the fact that the members of the Indian Independence League numbered three quarters of a million was based on the information contained in the periodicals of the League. His duties were to arrange for publicity of the activities of the Provisional Government and the INA and carry on propaganda to the people in India for India's independence, and to arrange public meetings.

Q. Is it a fact that the people in charge of collecting donations for the Provisional Government had fixed a certain percentage of the capital of Indians in Burma and Malaya?

A. A certain percentage was fixed by the voluntary consent of Indians in Burma and Malaya. The persons in charge of collections called upon Indian merchants and others to donate and with their consent and at their suggestion a percentage that differed from place to place was fixed.

Witness added that a Board of Management collected funds in Malaya and there was a Netaji Fund Committee composed of Indians in Burma. At a later stage one Karim Ghai became a member of the Netaji Fund Committee. He was not in control of the collections earlier than January 1945.

Q. Was there any charge against him of extorting money?

A. No.

Q. Was he arrested under the orders of Mr Subhas Chandra Bose?

A. He was kept in detention under the orders of Netaji. I am not aware of the reasons. There was an enquiry into his activities regarding the collection of material on Netaji's birthday. I am not aware of the specific charge against him.

Q. Was every man ordered to donate one yard of cloth to the INA or Rs 50?

A. An appeal was made that every Indian should give at least one yard of cloth. There was, however, no question of compulsion.

Cross-examined further, witness stated that he knew that the recruitment to the INA was voluntary from a number of speeches which Netaji made while addressing the INA itself.

Q. Do you know that, apart from professions, compulsion was actually used?

A. I am not aware of any compulsion used to recruit people to the INA.

Witness admitted having seen a pamphlet issued by Mr Rash Behari Bose in March, 1943. When his attention was drawn to a passage in the pamphlet alleging the use of force in recruiting people for the INA he stated that he did not remember having read that particular passage.

Mr Bhulabhai Desai objected to the question on the ground that the mere fact that witness had read something did not prove that what he had read was truth.

The Advocate-General contended that witness as in charge of publicity and propaganda must have read the particular passage and should be asked about it.

The Judge Advocate remarked that they would decide the question of relevancy later after the reply had gone in the report.

Mr Bhulabhai Desai protested and said: 'It is like relevancy on trust. The mere fact that one reads something is no proof of the truth of the allegation contained in it. Supposing he read it, what does it matter?'

Witness repeated that he did not remember having read the passage.

Giving his reasons why he did not give any particular attention to the pamphlet, witness said that he had become a Minister of the Provisional Government much later than the time of the Publication of the pamphlet. The Pamphlet was published in Singapore while he was in Bangkok. He was not aware of any protest having been made against the particular passage to which his attention had been drawn by anybody.

Q. Are you aware that the grossest atrocities were committed to compel people to join the INA?

A. I am not personally aware of any atrocities having been committed to compel Indians to join the INA after December 1942.

The Advocate-General wanted to pursue the matter further when Mr Bhulabhai Desai objected to the question being repeated. Mr Desai said: 'Witness has already denied the suggestion vehemently.'

Witness was not aware of the fact whether the same pamphlet was published in Roman Urdu.

Q. Are you aware of any limitations on the INA placed by the Japanese?

A. No.

Witness was aware of a declaration by Netaji and also in the official gazette of the Provisional Government guaranteeing the status of the Provisional Government.

Witness in reply to further questions asked by the Advocate-General cited several examples of the orders of the Provisional Government's Ministers having been carried out through the agency

of the Indian Independence League. Witness stated that he was present at a parade of the INA which General Tojo and Netaji attended in Singapore in July 1943.

(ii) Evidence by Lt Col A.D. Loganathan Defence

Witness on 11 December 1945

Newspaper report on evidences and cross-examination of Lt Col A.D. Loganathan, Cabinet Minister and Commissioner of Andamans, Provisional Government of Azad Hind on 11 December and 12 December 1945 respectively

Hindustan Times, 12 December 1945 (evidence by Loganathan)

Hindustan Times, 13 December 1945 (the cross-examination of Loganathan)

Lt Col A.D. Loganathan, one of the Cabinet Ministers and Chief Commissioner of the Andamans of the Provisional Government of Free India, was the next witness.

Col Loganathan said that he was in charge of the No. 19 Indian General Hospital, when Singapore fell. About September 1942 he became a member of the INA. In the interval he continued to be in charge of his hospital, which was situated at Neesoon camp. The Neesoon camp was built for 2,000 men but there were about 12,000 there, huddled together. Originally there were four hospitals at Neesoon camp and they served all the prisoners in that camp. Later on hospitals were sent out to Bidadari and Seletar Camps.

Witness attended the Bangkok Conference, which was attended by about 110 delegates from all over the Far East—Burma, Philippines, Hong Kong, Sumatra, Java, the Celebes, Borneo, Shanghai, Canton and Indo-China.

The Conference passed 60 or 70 resolutions. The chief resolution called on all Indians especially civilians to organise themselves, and to have one organisation to enable them to maintain security and safety of life and property and to work for their general welfare. They were to come under one organisation called the Indian Independence League and the various branches of the League. One of the resolutions sought to raise an army.

Anything done by the Independence League, it was declared in the resolution, should be in conformity with the activities of the Indian National Congress. It was understood that when the Congress asked the INA to go to India, they ought to take steps to do that.

Describing the crisis in the INA in December 1942, witness said that the relations between Capt. Mohan Singh, GOC of the INA and Mr Rash Behari Bose, President of the Indian Independence League and Chairman of the Council of Action, were not very happy. On his personal knowledge witness thought that Mr Rash Behari Bose, having lived so long with the Japanese, was inclined to be guided and controlled by them, whereas Mohan Singh felt that the Japanese should be dealt with more firmly than Mr Rash Behari Bose would be able to do.

The INA was a branch of the Independence League. As Mohan Singh was not very happy with Mr Rash Behari Bose, he took a lot of responsibility on his own shoulders in dealing with Japanese. At the time of the crisis Mohan Singh used to ask some of the senior officers to meet him at his bungalow. Witness was one of them. Mohan Singh explained to them that the Bangkok Conference resolutions had not so far been ratified by the Japanese.

Mohan Singh's demand that the INA should be treated as an Allied army had not been met. Mohan Singh protested strongly against the use of a new Indian AA companies by the Japanese for defence purposes because he thought that they should be handed over to him. The Japanese did not hand over these AA battalions till Mr Subhas Chandra Bose came.

The Japanese had arranged for a ship to transfer some INA troops to Burma and members of the Council objected to the troops being sent without their knowledge. Mohan Singh told his senior officers that it was impossible to carry on in those circumstances and that he was going to dissolve the INA.

Mohan Singh was arrested and taken away under Mr Rash Behari Bose's orders and the INA was then dissolved according to Mohan Singh's instructions. The members of the Council of Action at this time were Mr Raghavan, Mr K.P.K. Menon, General Mohan Singh and Col Gilani. The President was Mr Rash Behari Bose.

After December 1942, witness was at Bidadari, the INA headquarters. He was in charge of the Medical Department. Witness met Mr Subhas Chandra Bose when he arrived in Singapore on July 1943.

Witness was present when the Provisional Government of Free India was formed. He was one of the Cabinet Ministers and Director of Medical Services, INA.

Witness said that at the Far Eastern Asiatic Conference, the Andaman and Nicobar Islands were ceded to the Provisional Government on 17 February 1944. Witness went to Port Blair. After he had been there two or three weeks, a ceremony was held at the Independence League Headquarters at Port Blair, at which the Andamans and Nicobars were formally handed over to him. The ceremony was attended by the Japanese rear-admiral in charge as well as the army commander there. Netaji Subhas Chandra Bose appointed witness as Chief Commissioner of the Islands.

Before leaving Singapore, witness instructions were to take five persons with him and he left for the Andamans with Major Alvi, Lt Subhan Singh, Lt Mohammad Iqbal and a stenotypist, Mr Srinivasan.

Witness said that after the ceremony at Port Blair, he took charge of the civil administration which was functioning there, Major Alvi was given charge of the education Department in the Andamans, Lt Subha Singh of Revenue and Finance, and Lt Iqbal Singh of Police.

Witness administered the Islands until September 1944, when he returned to Singapore. In November 1944, he submitted a report of his administration to Mr Subhas Chandra Bose. Netaji wanted him to go to Rangoon to give him the report personally and to accompany him to Tokyo where he was going, so that witness might represent any difficulties to the Japanese Foreign Office. As witness was too ill at that time and continued to bed, he could not go, and when Mr Subhas Chandra Bose returned from Tokyo to Singapore, he gave Bose his report. Witness produced the report submitted on that occasion.

Major Alvi was appointed officiating Chief Commissioner in witness absence. During witness' administration the Islands were renamed Shahid (Andamans) and Swaraj (Nicobars).

Witness said that the Provisional Government of Free India was recognised by all the Axis Powers—Germany, Italy, Japan, Croatia, Manchuria, the Philippines, the Nanking Government, Siam and Burma.

The INA was purely voluntary. As far as witness was aware, no coercive methods were used in recruiting. He was aware as a member of the Provisional Government that the Provisional Government declared war on Britain and America.

From October 1944, witness was a patient in quarters in Singapore.

The INA said Col Loganathan, was a source of great strength to the civilian population. When witness surrendered himself at Rangoon, for about a fortnight the INA took charge of the whole of the Rangoon area and maintained law and order in accordance with instructions left behind by Netaji. When the Japanese invaded, nearly 10,000 Indians were murdered, and to

prevent such a calamity, the INA was charged with the responsibility of safeguarding the life and property of all civilians, be they Chinese or Indians.

Both in Malaya and in Burma, civilians were recruited to the INA.

Cross-examined by Sir N.P. Engineer, Col Loganathan said that his authority for the statement that the Andamans and Nicobars were ceded to the Provisional Government was a broadcast from Tokyo. He did not remember the exact wording of the broadcast.

Q. I put it to you that the Andamans and Nicobars were never ceded by Japanese to the Provisional Government of Free India.

A. I would not have gone there if they had not been ceded.

Q. I put it to you that all that the Japanese did was to promise to give them after the war was over.

A. No.

Q. I put it to you that they said that for the duration of the war they would only transfer such departments as did not interfere with the defence of the Islands.

A. That is true.

Q. I put it to you that the only department which was more or less completely handed over was the Education Department.

A. I had taken over the Education Department.

Sir N.P. Engineer repeated the question twice and said with some warmth: 'Please listen to my question properly before you give your answer.'

Thereupon Col Loganathan said: 'I cannot follow what you mean by

"More or less" completely handed over.'

Sir N.P. Engineer: I put it to you that the only department which was completely handed over to you was the Education Department.

A. The only department which I took over was the Education Department.

Q. You refused to take over the other departments.

A. I was not prepared to take over the other departments if the Police Department was not handed over to me.

Q. The Police Department, was in fact, not handed over.

A. I was trying to take it over.

Sir Noshirwan: I put it to you that the Police Department was in fact not handed over.

A. It was to be handed over up to the time I left.

Q. I put it to you that the other departments also were not handed over.

A. I refused to take over the other departments. That makes a lot of differences.

Sir Noshirwan: 'We shall presently see what difference it make'.

Q. Even as regards the Education Department the Japanese insisted upon sending all children of school age to what was known as the Nippongo school.

A. It is not correct that the Japanese took all children of full age to their own Nippongo school. The Japanese had a few students. They had nothing to do with our Education Department at all.

Q. While you were in the Andamans you could not send any communication to Mr Subhas Chandra Bose except through the Japanese.

A. I used to submit a monthly report to the head of the State.

Sir Noshirwan: Col Loganathan, is this an answer to my question? May I repeat it again?

Col Loganathan: I don't understand your question.

The Advocate-General repeated his question and witness replied: There was no other means of communication, so I had to send my reports through the Japanese.

Q. Were your reports censored by the Japanese?

A. I used to give them sealed and ask the Japanese to forward them to the head of the State.

Q. It is not correct to say that some of your reports had to be changed because the Japanese would not agree to the wording.

A. In one case the Japanese sent me my report with the request that I should change it in one or two places because there were one or two points which might be dangerous if they got into enemy hands.

Q. You were not allowed to have a radio set for yourself.

A. I asked for a radio set and the Japanese said that they would get me one. There was a great shortage and the Japanese said they could not find one immediately.

Q. You were not allowed to see any of the defence works.

A. Your question suggests that I tried to see the defence works and was refused. That is not so because I did care to see the defence works.

Witness said that when he was sent by Mr Subhas Chandra Bose to the Andamans and Nicobars, a letter of authority was given to him.

There was a passage between Mr Desai and Sir Noshirwan Engineer, when the Advocate-General drew witness' attention to the following sentence in the letter written by Japanese authorities to Subhas Chandra Bose: 'It is to be understood that pending the completion of the transfer of all departments, an official of the Provisional Government bearing some such title as Chief Commissioner of Andamans and Nicobar Islands should be dispatched to co-operate fully in the military administration of the Islands under the direction of the Naval Commandant there.'

Sir Noshirwan asked: 'That was all the authority given to you.'

Mr Desai objected to the question. 'The document speaks for itself.' He remarked, 'It is for the court to construe that document.'

Sir Noshirwan maintained he was entitled to get from witness how he got his authority from.

The President ruled it was in order to ask witness to say where he derived his authority from.

Sir Noshirwan repeated his question and witness replied that so far as that particular letter was concerned his instructions were as given therein but he contended that these instructions were governed by the letter given to him by Subhas Chandra Bose because Bose's letter gave him wider powers.

Witness added that apart from the letter from Bose, he received verbal instructions from Bose before witness went to the Andamans: These verbal instruction were that consistent with local difficulties witness should take over the whole of the Islands as soon as possible.

Witness put in a number of the monthly reports which as Chief Commissioner of Andamans he had made to Subhas Bose. One of these reports mentioned the arrest and trial by the Japanese of alleged spies, many of whom were hanged or shot and others imprisoned. Another report spoke of a few being understood to have died of illness developed during detention. By that sentence witness said, he meant they died of torture while in police custody.

A third report referred to 'Japanese methods', by which witness said he meant atrocities. Witness said he could not put these things plainly because his letters were being scrutinized by the Japanese and he wanted that the head of the State (Subhas Chandra Bose) should know the position.

Q. During the time you were there gross atrocities were committed by the Japanese in spying cases.

A. Yes.

Q. You were aware of that and you were unable to remedy the matter.

A. Yes.

From time to time witness held discussions with the Japanese civil administrator on the feasibility of taking over all the departments one by one. He was asked to take over all the departments except the police and his demand was that without the Police Department he was not prepared to take other departments.

Scope of Administration

Sir Noshirwan put a series of questions about the exact scope of the administration of the Provisional Government in the Andamans.

Q. The civil administration of the Islands was in the hands of Jochil, the head of the Civil Administration, and the Military and Naval Administration was in the hands of the Japanese rear-admiral. Then what were you doing apart from running schools and self-sufficiency programme?

Witness explained the work done under education and the self-sufficiency programme.

Sir Noshirwan impatiently exclaimed: Your mentioning it six times does not increase the importance of your work.

Col Loganathan: You have asked me the same question six times.

Witness went on to explain that besides education and self-sufficiency programme, he got as much information as possible about spying and used to make representation to the Japanese authorities and also receive reports from Mohammed Iqbal, who was the Chief Justice in civil matters.

Further Cross-examination was adjourned till tomorrow.

New Delhi, 12 December—The atmosphere in the court-martial trying Capt. Shah Nawaz Khan, Capt. Sahgal and Lt Dhillon became tense this morning when during the cross-examination of Lt Col Loganathan, which was continued today by the Advocate-General, Sir N.P. Engineer Mr Bhulabhai Desai and witness both protested against the manner in which the Advocate-General was putting his questions.

Mr Desai took objection to questions regarding details of administration of the Andaman and Nicobar Islands. He said that such questions were not relevant. The main question was that the two islands were ceded to the Provisional Government of Azad Hind. Mr Desai said that he was merely assisting the court in saving its time since the cross-examination had passed all bounds.

The President, however, overruled Mr Desai's objection and allowed further questions about details of administration of the Andaman and Nicobar islands.

When the Judge Advocate asked witness whether he was of opinion that the Provisional Government should withdraw from the two islands Lt Col Loganathan said that he had all along been struggling to get the police department under his charge. The Advocate-General remarked that he was giving him full credit for this struggle.

Witness: I am not demanding any credit from you.

When the Advocate-General questioned witness about details of his report to Netaji Subhas Bose, Mr Desai said that the questions were futile.

In reply to the Advocate-General's question whether he had recommended withdrawal of the Provisional Government from the Andaman and Nicobar Islands, witness said: 'I have told the court ten times that I had been struggling to get the police department under my charge.'

The President told witness: Will you listen and answer properly of Witness stated 'I mentioned yesterday that Iqbal was trying civil cases. They were concerning loans of money, debts, mortgages building and family disputes.'

When witness went to the Andaman islands the Japanese had a supply department. That continued after his arrival. The self-sufficiency programme was carried out under the instructions of the Japanese Supply Department.

Witness was shown a document, which was his monthly report for August dated 5 September 1945. Witness stated that the words in his report 'they are getting to know the Japanese officers better and it is hoped that greater trust would be the result' were in connection with a spy case Lt Iqbal was investigating. He was not very happy about it and the Japanese were not very happy about their interference.

On receipt of a telegram from Mr Subhas Bose witness left the Andamans in order to make a personal report about the progress Government from the Andamans and Nicobars. He said that he did not send such a telegram himself to Subhas Bose.

Q. When you say that you have not sent any telegram yourself, do you mean to say that you asked somebody else to send one?

A. I did not say that.

Q. I want to know what you mean by saying 'myself'.

A. I mean what I say.

Witness was shown a report which he handed over to Netaji Subhas Bose in Singapore on the work done by him at Port Blair. Witness stated that the words 'All propaganda required by the Japanese administration is carried out' referred to spying and self-sufficiency and the words 'The subordinates think and feel that we are hindrance to their work' referred to the Police Department.

The report further stated that, 'the public have lost confidence in us as we have failed to minimize their sufferings. The Public feel that withdrawal of the Provisional Government will improve their lot.'

Q. Do you say that you never formed the opinion that the Provisional Government should withdraw from the Andamans and Nicobars?

A. The position is this that I had been fighting to get the Police Department entirely for us. If the authorities were not prepared to hand it over the question of withdrawing the Provisional Government had to be considered.

Witness was shown an entry in his diary dated 25 October 1944, which was a transcript of a telegram sent by Col Bhonsle to Netaji which said as follows: 'To Netaji: 10 a.m. Col M is strongly of opinion that the entire Provisional Government staff from A be withdrawn as they have not got any useful work to do there.'

Q. Do you admit that you asked Col Bhonsle to send the telegram?

A. I discussed with Col Bhonsle the question of withdrawing the staff of the Provisional Government from the Andamans. Later Col Bhonsle sent me a copy of the telegram after it was dispatched. I did not like the wording of the telegram. I was not very happy about it. So it is not true that I caused him to send the telegram.

Q. What part of the telegram is it that you did not like?

A. 'As they have not got any useful work to do there.'

Q. Did you correct it later?

A. I did not think it worthwhile to take steps to correct it.

Further examined witness stated that he became a member of the INA in September 1942. He took no particular part in the organisation of the INA. Witness knew that Capt. Mohan Singh was arrested on 1942. One or two hours after the arrest of Mohan Singh a news from Rash Behari Bose was read out at a meeting at Bidadari, which announced the arrest of Mohan Singh.

After the arrest of Capt. Mohan Singh an Administrative Committee was formed and witness was in the Committee. The functions of the Committee were to maintain order and discipline in the camp, to collect all the arms and ammunition and put them in safety, to see to the rationing for men in the camp and to administer the troops that were there.

Q. On the arrest of Mohan Singh and the dissolution of the INA the men of the INA were taken back as prisoners of war?

A. The troops were demanding their reversion to Prisoners of War. But the Japanese refused to take them back as Prisoners of War on the ground that they were all made free Indians to join the INA and they could not then go back to the status of Prisoners of War.

Witness stated that several of those who had originally joined the first INA refused to join the second, and they were considered as Prisoners of War.

At one of the meetings held by General Iwakura a letter from Rash Bihari Bose was read. The substance of the letter was that Mohan Singh had been arrested and was removed from his office as General Officer Commanding, and until further arrangements were made all the unit commanders were requested to maintain discipline and keep the camps going as before. Witness did not know whether Mohan Singh was kept under arrest by the Japanese nor did he know how long Mohan Singh remained in Singapore after his arrest.

Proceeding, witness said that a Goodwill Mission was sent to Japan in March 1942, but he was not a member of that mission. After the mission returned a meeting of Indian officers was held in Bidadari at which he was present. Witness denied the presence of Japanese officers at that meeting. It was said at the conference that the plan for the INA would be discussed at a bigger conference to be held at Bangkok. Mohan Singh and Col Gill, two members of the Goodwill Mission, who were present at the Bidadari meeting, explained the work done by the mission in Tokyo. Col Gill framed two or three sentences for consideration of the meeting. Nothing further was done at this conference. There was no concentration camp. A detention camp was there. He used to visit it occasionally as head of the Medical Department.

Q. I put it to you that the method of recruitment in the Indian National Army included bribery?

A. Not to my knowledge.

Q. Taking refractory persons to concentration camps?

A. Not to my knowledge.

Q. And that special methods were adopted, e.g., beating, taking individuals through main-holes, into sewers and making them stand until they volunteered and other forms of torture?

A. Not to my knowledge.

I personally came to know of a gross case of torture. There was a case reported to me and I referred the matter to AQ for investigation. One person is supposed to have died as a result of some gangrene in the ankle. That was the medical report received from the hospital. I sent the case on for investigation to 'A' Department. I did not hear anything in reply. I heard there was a Court of Inquiry. I have no knowledge of patients being admitted to hospital suffering from severe injuries through being beaten. This was the only case reported to me on which I had taken action. My work was to supervise the hospital. I was not in charge of the cases I went round inspecting the patients.

On the day on which Exhibit 4 F was proclaimed the functions of officers were as stated in the proclamation. I was Director of Medical Services of the Provisional Government from the time the Government was formed until I left for the Andamans. Each officer performed his duties as laid down. As DMS I carried out my functions in the Provisional Government.

When the Advocate-General asked witness about the functions of the Provisional Government, he replied that the question was vague.

Mr Desai also objected to the question remarking 'It is just like asking what does the Government of India do.' The President then asked witness about the subjects discussed in Cabinet meetings which he attended. He said 'We held cabinet meetings. Various details were discussed, e.g., about the national flag, national songs, marching on songs, the declaration of war, the language to be used in the Indian National Army, various things concerning the Indian Independence League branches and their functions, the expansion and recruitment of the army, and such other subjects. The subjects were interlinked.

The administrative Committee was called the Executive Committee, which existed only for two or three days. After that Col Bhonsle was appointed Director of Military Bureau and Zaman Kiani was appointed as the DMS and so the inauguration started with specific officers appointed. At that time my appointment was known as Deputy Director of Medical Services. When the Director of Military Bureau started his work, I was appointed Chief Administrator. That was about April 1943. I occupied that position until I went to the Far East. This was about the end of August 1943.

'From 24 April 1945, for about a fortnight we garrisoned the whole of Rangoon town. I saw Subhas Bose before his departure from Rangoon on 24 April 1945. Witness was appointed GOC, Burma Command, which was to take effect after Mr Bose's departure.'

Proceeding, witness said the Japanese firms started evacuating Rangoon on 21 April and the Japanese Government on 23 April 1945, although he could not say when the Japanese finally evacuated.

Q. Did the Japanese guard abandon Rangoon Jail on April 30?

A. The Japanese guard did abandon Rangoon but I cannot say on which date.

Witness did not know about the occupation of Rangoon by the Burma Revolutionary Army. Rangoon had been under the charge of the INA for a fortnight, i.e., between the departure of Mr Bose and the entry of the British troops.

Re-examined by Mr Desai witness after going through his diary stated that he had left Port Blair on 2 October 1945, reaching Singapore the following day.

(iii) Evidence by Dinanath Eighth Defence Witness on 12 December 1945.

Newspaper report on Dinanath's evidence; the Director of Azad Hind Bank, Rangoon.

Bombay Chronicle, 13 December 1945.

Azad Hind Bank Director's Evidence

The next witness was Mr Dinanath, former timber merchant and engineering contractor in Burma, who later became a Director of the Azad Hind Bank. The Bank, he said, had its registered office at 94, Park Road, Rangoon and it was registered in accordance with the then Burmese law.

There was a Netaji Funds Committee in Rangoon. Its object was to collect funds from the public as contributions towards the Provisional Government.

Collections in Burma and donations in Malaya were kept with the Azad Hind Bank and also with the Finance Department of the Provisional Government. Collections were in cash and kind. Ultimately, these funds were drawn upon from time to time for the purpose of the Provisional Government.

The total collections in Burma amounted to about rupees 15 crores and those in Malaya about rupees five crores.

In addition to the funds contributed to the Provisional Government, private individuals also banked with the Azad Hind Bank. The amount thus banked was about rupees 30 or 40 lakhs.

The bank functioned from April 1944 upto the middle of May 1945.

After the occupation of Rangoon by the British forces, the Bank was sealed up by the British Military authorities. The amount of deposit to the credit of the INA at the time the Bank was sealed was about rupees 35 lakh.

Mr Desai asked witness a number of questions about an estate called Ziawadi near Rangoon. Witness said the estate was about 50 square miles in area. It was first administered by the Manager of the Ziawadi branch of the Bank and then handed over to the Provisional Government, whose representative administered the estate. In the area there were a big sugar factory, yarn factories, blanket and gunny-making factories, hospitals and some cultivation. The population was about 15,000 mostly Indians. The INA had a base there and the hospital and factories were run by the INA. There was also a training camp for the INA.

The produce from the area was handed over to Provisional Government and used by it as it thought best.

Answering questions about the activities of the Indian Independence League, witness said branches of the League which were all over East Asia worked in different departments such as recruiting and training propaganda, welfare, ARP, Bal Sena etc. The main function was to look after the property of absentee Indians, relieve suffering, ARP service and running schools for children.

Mr Dinanath proceeded to state that the INA rendered assistance to the civilian population by organising beats and protecting Indian lives and property. They saved many Indians from the Japanese Military Police who used to arrest people. They were saved through the intervention of the INA and in fact all such cases afterwards were handed over to the INA to be dealt with. He knew of another case where one Mr John, a well-known surgeon and his English wife were arrested by the Japanese and they were saved by the INA.

After the Japanese occupation, the Burmese hooligan element slaughtered Indians and looted there property in the districts. But after the INA Headquarters was shifted to Rangoon all such cases stopped.

Cross-examined by Sir N.P. Engineer, witness said that he left Rangoon a fortnight before the Japanese arrived. At first he went to Shewbo, then to Lashio and from there to Mogaung. He returned to Rangoon in August 1942. After his return to Rangoon, there were no general lootings and murders of Indians in Rangoon.

The Azad Hind Bank was a share holders' bank with a capital of Rs 50 lakhs. The deposits were in Japanese currency. The Provisional Government's accounts were operated by the Finance Minister. He made monthly allotments to the INA of about 10 to 30 lakhs.

Witness was in Rangoon when the British entered. Before the Bank was sealed, the Directors of the Bank reviewed the statement of accounts and there were Rs 35 lakhs owing to the INA.

Witness did not know to whom the Ziawadi estate belonged. At a public meeting presided over by Babu Subhas Bose, Shri Parmanand, Manager of the estate, announced that he was formally handing over the estate to the Provisional Government. The estate was in Burmese territory.

He did not know if on 14 May rupees 20 lakhs were drawn from the Azad Hind Bank on behalf of the INA.



(iv) Evidence by Havildar Shiv Singh Ninth Defence Witness
and Cross-examination by Prosecution Counsel, 12 December 1945

Newspaper report on the examination and cross-examination.

Hindustan Times, 13 December 1945.

Ziawadi Settlement

Havildar Shiv Singh who was a Lt in the INA was the next witness.

Shiv Singh, examined by Mr Desai, said that he was a member of the INA and is now also. He came to Burma in August 1942. He knew of a territory called Ziawadi. He lived there from August 1943 to April 1945. He was sent there to open a training camp and was in charge of it. The Indian population of that area was approximately 15,000. Besides the training camp, a poultry farm was opened there for the INA and there was base hospital of the INA besides a convalescents' home, and a home for disabled men. A sugar factory, and a big office of the Azad Hind Dal were also established.

The object of the Azad Hind Dal was to administer the areas conquered by their army and those which were under their government, The Provisional Government of Azad Hind Lt, Vittal Rao was in charge of the Azad Hind Dal and Mr B. Ghosh was in charge of the Public Works Department. Tehsildars were appointed for groups of villages and their work was to collect revenue and to settle small and to refer bigger disputes to higher authorities. Mr Ram Chandra Parshad was the Manager. He was appointed by the Government. The man in charge of the police was Mr Shyama Charan Misra. He was also appointed by the Government.

Governor-Designate

Mr B. Ghosh was in charge of Public works, Agriculture and Sanitation. This place was defended by the men of the INA. Neither the Japanese nor the Burmese had anything to do with this area. Many times there were misunderstandings with the Burmese and Japanese Governments, but their Provisional Government removed them. General Chatterjee had been appointed Governor-Designate of the liberated areas. His headquarters were at Ziawadi.

Cross-examination of Havildar Shiv Singh

Cross-examined by Sir N.P. Engineer, witness stated that he took part in the fight with the Japanese and in January 1942 he was taken prisoner. After the formation of the INA and the Provisional Government witness volunteered to fight the British.

Q. Did you broadcast to Indian troops from Saigon on 10 February 1942?

A. I did not broadcast to the Indian troops. What I broadcast about the behaviour of the Japanese was to me after I was captured. I did this on my own free will, because the Japanese told me that if I wanted I could broadcast the behaviour meted out to me by the Japanese.

Q. For whose benefit was the broadcast?

A. It was the benefit of many Indian troops that had been left by the British in the jungles so that these men could collect together and meet at Saigon.

Witness stated that he did not broadcast asking Indian troops to go over to the other side. He first talked to Capt. Mohan Singh in March 1942 at Singapore, and lived there in house next to Capt. Mohan Singh's bungalow for four or five days. After his capture at Ipoh witness was sent to Kuala Lumpur by the Japanese and from there to Saigon. Witness did not know what for he was taken there; he was told he had to go.

Q. I put it to you that the Japanese asked you whether you were willing to go on a particular mission for them.

A. I was merely ordered to go.

In Saigon witness was taken to Col Saito. There he was told about the war aims of the Japanese by Col Saito.

Q. He asked you and your party to join an army to fight against the British?

A. He did not ask me to join any army to fight the British.

Q. I put it to you that you were asked to broadcast and you did broadcast asking Indian troops to help the Japanese and win India's freedom.

A. No. What I have told before I broadcast and nothing else.

Q. Did you meet Major Fujiwara at Singapore?

A. I did not meet him, but I saw him.

Q. You mentioned about going to Singapore. Did you ask to go there or were you sent?

A. I was sent there.

Q. How did you live with Mohan Singh? You had no contact with him before.

A. I did not say that I stayed with Mohan Singh. I said I stayed in a house next to Captain Mohan Singh in which there were other Indian soldiers.

Q. This was in Mohan Singh's bungalow in Mount Pleasant Road?

A. In mount Pleasant Road there were a number of bungalows. I lived in a small house near Captain Mohan Singh.

Q. Did you or did you not report to Mohan Singh on your arrival in Singapore?

A. No.

Witness further stated that he lived there for five or six days and then went to Bidadari camp. He was ordered to go there.

Q. I suppose you never asked why you were taken to these various places from time to time.

A. In the same way, many other men went from one place to another and I was not told the reasons for these movements.

Q. When you were in Bidadari did you hear anything about the INA?

A. Yes, I heard about the INA at Bidadari.

Q. And you were persuading others to join the INA?

A. No.

Q. Were you persuaded by anybody to join the INA?

A. No.

Further examined, witnessed stated that he was in that camp for nearly two months and he never heard any lectures during that time. Later at the instance of the INA headquarters witness went to Bangkok to attend the conference.

Q. The Bangkok Conference was held in June 1942?

A. Yes.

Q. At that time the Azad Hind Fauj had been organised?

A. Yes, it was organised.

Q. Had you expressed your willingness to join the INA?

A. Yes, I was prepared to join the INA provided I was satisfied in every respect.

Q. Who was the particular person who asked you to go to Bangkok?

A. Capt. Amar Singh asked me to go to Bangkok.

Q. For what purpose did he tell you that? As representing anybody?

A. He told me that there was a conference there and I should go and make note of any lecture in Hindustani.

Witness said that he recorded Capt. Mohan Singh's lecture. After that he returned to Singapore and in September 1942 he went to Rangoon. A special party was sent under Col Gill and witness was also in it.

Q. At this time had you formally joined the INA?

A. I had joined it but I was not prepared for fight until I was satisfied with all the points, namely that the Japanese Government recognised our Azad Hind Fauj and the Provisional Government.

Q. At the end of September 1942 were you asked to do infiltration work in the Arakan?

A. No. I was asked to proceed to Arakan and do reconnaissance and return to make my report.

Witness said he did this work as a member of the INA. He returned to Rangoon in December 1942. He heard about the crisis in the INA some time in December. He did not try to escape to India at that time.

At Mingaladon Col Gill's party was arrested in 1943 by the Japanese. Witness was also one among them. He did not know why they were arrested.

Q. What was Col Gill's party formed for?

A. I do not know fully the reason for the formation of Col Gill's party, but the work that I was allotted I have already stated.

Q. The work you did in Arakan was the work of Col Gill's party.

A. Yes.

Witness was in the INA at that time, but he did not work till the Japanese recognised the INA and the Provisional Government. None of the men in the INA took active part in operations. At the time witness was sent to the Arakans the INA and the Provisional Government had not proclaimed war against the British or the Americans. Witness was sent to Ziawadi State to open an INA training camp.

In October 1944, witness met one Sen Gupta. He did not express a desire to escape to India. He had no contact with the Burmese Guerilla soldiers. Witness denied that he supplied information to the British about the end of 1944 and the beginning of 1945. He met Capt. Brown when the later was captured by them. He did not tell Capt. Brown that he would continue to give information to the British. But there was Burmese with whom he had contact. He did a trick to save the Ziawadi State, the INA and the Provisional Government. Witness told the Burmese soldier that there was only a hospital in the State and there were no defensive positions in that area. Witness denied that he received a thousand rupees for giving this information.

Q. Do you know to whom the Ziawadi State belonged?

A. It belonged to an Indian. I do not know the name. Our Government took possession of the State because that Indian was not there.

Q. Was it an estate or State?

A. Well. You can call what you like.

Q. I want you to tell the court when your Government took possession of this estate?

A. It was in about June 1944.

Witness added that they took possession of the State from the manager who had been working there and he continued to work after the State had been taken over and he was given certain powers by the Government. One Parmanand was the manager at that time. Later, he became Supply Minister of the Government and one Ganga Prasad was appointed the manager of the State and sugar factory.

Q. Now let us make it clear. Before the Government took over it was not a State but only an estate.

A. Since the time I went there this was called a State. I do not know what was it called before—whether State or Estate.

When he went there in August 1943 it was Ziawadi State. Its ruler was a Rai Bahadur who escaped to India. Witness stated that he only knew of the arrangement made by the Government after taking possession of the State. He did not know anything prior to that.

Q. What is your source of your information to say that this was a State, there was a ruler and he escaped to India?

A. There was a palace, and I saw the palace. And the Raja is still alive in India.

Q. This was an estate which was given by its owner to the Provisional Government?

Agreement with Japanese

A. I know that there had been an agreement between the Japanese Government and our Government that our Government would take over possession of all the properties belonging to other Indians who were absentees.

Q. This was in Burma?

A. Yes.

Q. And in June 1944 the Japanese were in military occupation of Burma?

A. Yes.

Q. Including the State of Ziawadi?

A. I have said before that this was given to us.

Q. By whom? By the Japanese?

A. I have said before that between our Government and the Japanese Government there was an agreement about the whole of East Asia, and Burma was also included in it. And in pursuance of that agreement our Government took over this State.

Q. The truth of the matter is that there was a training camp in Ziawadi established by the INA?

A. Yes, there was a training camp for training people for the INA.

Re-examining the witness, Mr Bhulabhai Desai asked: 'You stated at one stage about the explanation given to you by Col Saito about Japanese war aims. With reference to India what were the war aims which Col Saito told you?'

A. That Japan is fighting for the freedom of the whole of East Asia and India is included.

Chapter 10. INA Trials and Mass Upsurge

1. Do Not Treat the INA Personnel Harshly:

Nehru's Press Interview at Srinagar, 19 August 1945

Selected Works of Jawaharlal Nehru, Vol. 14, pp. 336–38.

There is one matter which has been paining and troubling me for some time, but to which I have made no reference so far, because any mention of it might have been misunderstood. But now that the war has ended, there is no such reason to remain silent on this issue. This concerns the 20,000 or more prisoners of the Indian National Army, which was formed in Malaya and Burma. I was of the opinion three years ago, and am still of the opinion, that the leaders and others of this army had been misguided in many ways, and had failed to appreciate the larger consequences of their unfortunate association with the Japanese.

Three years ago, I was asked in Calcutta what I would do if Subhas Bose led an army into India on the plea of liberating India. I replied then that I would not hesitate to resist this invasion, even though I did not doubt that Subhas Bose and his Indian colleagues and followers were motivated by the desire to free India, and were in no way mere tools of the Japanese. Nevertheless, they had put themselves on the wrong side, and functioned under the auspices of the Japanese. No person could come to India in this manner or under such foreign auspices. Therefore, whatever the motive of these people, they had to be resisted in India or outside.

But the situation has completely changed with the end of the war. And now a very large number of officers and soldiers of this Indian National Army, as it is called, are prisoners. Some of them have been executed. Though information is inadequate, it is reliably stated that bad treatment is being given to them in the prisons and forts, where they are kept, and many of them live under the shadow of death. I do not wish to complain to the British about strict military rule. They can justify their treatment in any way they like. But as an Indian, and as one representing, in this respect, the views of almost all Indians, of whatever party or group, I would say that it would be a supreme tragedy if these officers and men were liquidated by way of punishment. Whatever their past mistakes, and these were serious, there can be no doubt that they are a fine body of young men—fine officers and fine rank—and fine members—and that their dominating motive was love for freedom.

At any time, it would have been wrong to treat them too harshly, but at this time, when it is said that big changes are impending in India, it would be a very grave mistake, leading to far-reaching consequences, if they were treated just as ordinary rebels. The punishment inflicted on them will, in effect, be a punishment for the whole of India, and a deep wound will remain in

millions of hearts. In this matter, fortunately, there is no communal question, for these officers and men are Hindus, Muslims and Sikhs.

From such accounts as have come to me, it appears that the Indian National Army first took shape when Singapore was almost surrounded by the Japanese and most of the British officers had left by boats. The Indian Army in Malaya was, therefore, left stranded and was completely at the mercy of the Japanese. At that time, a junior officer of the British Indian army, Sardar Mohan Singh,¹ apparently got in touch with the Japanese Command and organised the remnants of the Indian troops there, which amounted to nearly 70,000. Although Mohan Singh, to some extent, cooperated with the Japanese, he resisted their encroachments and refused to be a mere tool in their hands. After many months, matters came to a crisis and Mohan Singh, who had proved a very efficient and brave organiser, was arrested by the Japanese. Probably, he was executed by the Japanese.² This, in itself, shows the curious and anomalous position of the Indian National Army. Its leaders tried to resist the exploitation of their men for Japanese Imperialist purposes. How far they succeeded in this, I do not know. But the motive underlying their action comes out clearly, and it is important.

In view of all this, I earnestly trust that no injustice will be done in dealing with these prisoners of war, which will create an additional festering sore in India's mind and heart. With the end of war, the immediate exigency is past and larger considerations should prevail.

¹ Born in 1909, he was a Major in 1941 in the Punjab Regiment; member of the Rajya Sabha, 1960–66 and 1972–78.

² In fact, at the end of the Second World War Mohan Singh escaped from jail and went into hiding in Sumatra. Later he surrendered to the British. He was brought to Delhi as a prisoner in November 1945 and was released in May 1946.

2. Indian National Army: Political and Constitutional Issues

Editorial, *Tribune*, 1 September 1945.

While there are parts of the two communiqués¹ recently issued by the Government of India setting forth the policy they propose to follow in dealing with what has come to be known as the Indian National Army which will be appreciated by the public, it is much to be regretted that the communiqués are silent regarding the political and constitutional aspects of the matter, on which public opinion in India is naturally keen and on which Indian journalists and public men have been laying special stress in their writings and speeches on the subject. In their first communiqué the Government declared that while they have decided to treat with mercy and generosity the rank and file of those soldiers who yielded to pressure and who were so misguided as to join the forces raised by the enemy, they will allow the law to take its course and will try by court martial the leaders and those who were guilty of particularly 'heinous crimes'. 'The offence of going over to the enemy and fighting against his former comrades', says the communiqué, 'is the most serious offence a soldier can commit. It is punishable with death by the law of almost all countries, and those who have committed this offence and have been recaptured can claim no rights as belligerents or prisoners of war.'

The view expressed in this part of the communiqué has been challenged on political and constitutional grounds by three such distinguished and competent critics as Kanwar Sir Dalip Singh, Pandit Jawaharlal Nehru and Maulana Abul Kalam Azad. 'It may be maintained', says Pandit Jawaharlal Nehru, 'that any such army formed in the circumstances then existing and recognised by a foreign power as an independent army gains the status of a combatant force, and its members should be treated as ordinary prisoners of war.' The same view is expressed by Sir Dalip Singh in the characteristically sober and dispassionate but nonetheless forcible article

contributed by him to our issue of 30 August. 'So far as my information goes', he writes, 'armed rebellion, if recognised by external States, places the rebels in the position of combatants, who cannot be shot as rebels if taken prisoners. A somewhat similar position arose when the Germans threatened to shoot Maquis as Franc-tireurs but the Allies under General Eisenhower vigorously protested that they should be treated as combatants and threatened reprisals against German prisoners of war if the Maquis were not given this status. I believe the protest was successful and I think quite rightly so.'

Apart from what international law does or does not exactly sanction in such cases—a point on which neither the two Congress leaders nor Sir Dalip Singh claim expert knowledge—all three of them lay stress on the constitutional aspects as the case arising from the peculiar circumstances in which the army was formed, and the necessity and desirability of approaching the question from the point of view of India's feeling and sentiment. The constitutional and political aspects of the question are indeed, inseparably bound up and treated as such by all three, who may be taken in this matter to represent the prevailing view of the overwhelming majority of Indians, irrespective of class, community or political convictions. 'I can understand and appreciate the English approach to the question' says Pandit Jawaharlal, 'but I can also understand and not only appreciate but deeply feel the Indian approach which I think must be common, not only in the civilian population of India but also in the British Indian army.' Again, 'political consequences of any act of severe punishment must be taken into consideration, and there is no doubt that such consequences might be deep and far reaching.' Lastly, 'it was unfortunate that many of them were misguided enough to support a wrong cause, but it should never be forgotten that they had no desire or intention of supporting that cause as such but were simply moved by their passion for India's freedom. I have no doubt in my mind that the vast majority of the Indian men and officers of the British Indian army will appreciate generous treatment of their old comrades in arms.' The Congress President is equally strong and equally emphatic in his insistence on the necessity of avoiding undue severity in the punishment of these misguided men. 'Indian sentiment and public opinion', he says, 'will in no case sanction the extreme penalty. I would not like to enter into the intricacies of international law, but according to legal opinion their trial by court-martial would lack validity. In as much as the peculiar circumstances of these cases attract the saving provisions of international law, their rights and liabilities should be judged by higher moral principles and international custom. In any case it should not be forgotten that Indian sentiment and feelings will in no case allow the extreme penalty to be meted out to those who were victims of wholly unprecedented and unexpected circumstances and who acted with no motive other than patriotism.'

It is interesting to observe that in this matter the verdict of high legal and ex-judicial opinion is in complete agreement with the verdict of political opinion. 'I have heard', says Sir Dalip Singh, 'that all kinds of compulsion and inducements were used by the Japanese to get these men to fight on their side, and when to this is added the fact that well-known political parties had held aloof from the war and we do not know in what form this fact was presented to the Indian prisoners of war, is it a matter of surprise that some or considerable number of them succumbed to the temptation? Is it right to treat them as traitors or rebels, and now that the war is over to shoot or hang them as such?' Again, 'The war of the future, if any, are likely, so far as I can judge from the present trend of affairs, to be ideological wars. In such case the boundaries of the State are sure to be transcended and the fate of the men of the National Army of India might become an extremely evil precedent for men who misconceived their duty with the highest of motives.' Lastly, 'I wish to present to the British Government the idea that it is to their own interest to show mercy to all these men. Most of these men have relations and friends in the present army. That army has, I believe, deserved well of the British people. Severity shown to any of these misguided men will, I believe,

leave a legacy of hatred in the hearts of many Indians. I must not be understood not to see that the resentment of the British is not unjustifiable. The temptation to select the worst, from the British point of view, of these men for exemplary punishment is almost irresistible. I can only repeat that severity even to one man is likely to be remembered and the mercy shown to the many is likely to be forgotten. Therefore I would plead for mercy to all without exception.' The British Government need not go beyond their own experience both in this country and in other countries in an analogous position to see that the plea, here put forward by one of the sanest and most level-headed men in the province, a man who has never been associated with any political movement or party, and who cannot be accused by enmity itself of being unfriendly to the British Government, is absolutely and magnificently sound. When you are meting out justice you naturally have to pick and choose. There is no picking and choosing when you are showing magnanimity, the essence of which is to forgive and forget what the person or persons concerned have done in order to appeal to their own higher nature and to the better mind of the country generally. There is nothing so meaningless or futile as a partial or limited amnesty.

Reference has been made by all three distinguished men to the peculiar circumstances of the present case. The validity of this appeal has in a way been admitted by the Government themselves. In the second of the two communiqués issued by them they refer to the case of those who joined the enemy in response to directions from Delhi by radio and air-dropped pamphlets, with the sole object of escaping to our lines or of sabotaging the move from within, and that they will be regarded as recovered prisoners of war, retained in the army and treated with the special consideration to which their initiative, courage and loyalty entitle them. The special consideration to which the communiqué refers may be reserved for these men, but can it be denied that there is enough in common between the cases of these men and the cases of all others to take resort to extreme punishment both unjust and extremely inexpedient in the case of even the worst among the latter? Were not all of them the victims of circumstances both in their own country and in the country or countries in which they found themselves exposed to the grave risks and dangers and the equally grave temptations to which they eventually succumbed?

Let us take another aspect of the matter. The Government must have noticed the glowing tributes that have been paid to the memory of Mr Subhas Chandra Bose in all parts of the country by newspapers, policemen, public organisations and parties and other statutory self-governing bodies. In the overwhelming majority of these tributes Mr Bose's activities during the last four years of his life have either not been referred to at all or have been but barely mentioned while attention has been practically concentrated on the services rendered by him to India as a political leader of conspicuous ability and distinction. The latest of these tributes is the one paid by the Corporation of his own city, a Corporation over which he had himself presided as Mayor. In this tribute which was unanimous, so far as the Indian members of the Corporation were concerned, not a word was said about his activities in Japan, and the Mayor moved the resolution—all Indian members including the Muslim Leaguers stood up in their seats, and even the European members who preferred to walk out of the house to rising in their seats, did so on the avowed ground that they did not believe Mr Bose to be dead and not that Mr Bose did not deserve the tribute. Does not this one fact show the intensity and universality of India's feeling in this matter? The Government may or may not like that feeling but can any wise Government ignore it or miss its meaning and

significance at a time when its principal task is to conciliate the country and to establish Indo-British relations on a permanently friendly feeling?

K.N.R.

¹ The two communiqués were issued on 19 and 28 August, respectively. In the former it was stated that the Government was carefully considering the treatment to be accorded to the members of British Indian Army who joined the INA, and in the latter the Government announced the policy to be pursued with regard to INA personnel. See *The Transfer of Power*, Vol. VI, 1945, pp. 109–12, 142–43.

3. Need for a Generous Policy Towards the INA Personnel:

Joint Statement by H.N. Kunzru and P.N. Saprú,¹ 10 September 1945

Leader, 11 September 1945.

Allahabad, 10 September. There is a great and genuine anxiety all over the country with regard to the fate of the men belonging to the Indian National Army who were captured in Burma. There is no support in any responsible quarter for the policy which inspired its formation and guided its activities. Had it succeeded in seriously threatening the security of India as part of the Japanese army last year it would have been our national duty to oppose it tooth and nail. The patriotism of the men who joined it cannot be doubted, but it was misguided and a Japanese-controlled army could and would not have been regarded by us as a means of attaining our freedom.

There are, however, important circumstances which call for consideration in connection with the manner in which these men should be dealt with. It is understood that when Singapore surrendered to the Japanese and Indian troops or some of them were told by one or more British officers that the Japanese were in occupation of Singapore and that they should in future carry out the order of their new masters.

Again, it is well known that the Japanese put severe pressure on the Indian troops to fight on their side and used all kinds of methods to make them yield to their will. Besides, the INA consisted not merely of Indian soldiers who were prisoners of war in Malaya but also of Indian civilians recruited there.

As regards these persons, it must not be forgotten that the policy followed by the British in the matter of evacuation from Penang and Singapore, which was as racial and discriminatory as it could be, must have inflamed the feelings of the civilians when the power they had trusted long abandoned them to their fate. The plight of their countrymen could not but have affected the minds of the Indian officers and soldiers too.

Apart from this, in our opinion, in the present circumstances the future is of much greater importance than the past. In the new order which we have a right to look forward to and which will be based on the complete freedom of India, a repetition of the past will be impossible. The question of dealing with the rebels, therefore, assumes a different aspect from that which it might otherwise have had.

The communiqué enunciating the policy which Government will follow in dealing with these men does not ignore these considerations, but does not attach to them the weight they deserve. It, however, reflects his Excellency the Commander-in-Chief's broadmindedness and courageous appreciation of the situation. It can hardly be doubted that it is due to His Excellency that the problem has not been approached in a purely technical spirit.

But notwithstanding Sir Claude Auchinleck's breadth of outlook and desire to import no revengeful spirit into the consideration of the matter we feel that Government should adopt a bolder policy than has been announced by them. Had the Simla Conference proved a success and

a National Government come into existence, it would certainly have thought more of the future than the present Government seem to have done, and if a Central Government representing the people is established in the immediate future to deal with urgent post-war problems, it will undoubtedly seek to reopen the question.

The example of China, where the army of the Japanese-controlled Nanking Government is reported to have been taken over completely by the Central Government, shows what risks a National Government can take.

Taking all things into consideration we feel that it will be in the mutual interests of Britain and India that the prisoners belonging to the INA should be treated in a way which would not leave a deep scar behind.

Statesmanship requires that Government should rise completely above ordinary considerations and adopt a generous policy towards them.

Apart from this, we think that the Government of India should bear in mind the urgent need for pressing on the British authorities the necessity of following an equally humane and far-sighted policy in respect of the Indians in Burma and Malaya who may have yielded to the pressure of circumstances. Public opinion in these countries will not for some time be in a position to influence the policy of the authorities and it is therefore possible that every one who did not hold aloof from the Japanese may be regarded as a traitor.

A heavy responsibility rests on the Indian Government in this connection. They should seriously consider what steps they should take to see that a wise and generous policy is followed in these countries. Their views will carry weight in proportion to the wisdom and imagination which inspire their own policy. We hope that they will soon announce that they are alive to the importance of the question and will take all possible steps to allay public apprehension.

¹ Prakash Narain Sapru, son of Sir Tej Bahadur Sapru, was President, Liberal Party, 1938–39; Judge, Allahabad High Court, 1947–54; Delegate to the UN General Assembly, 1953; and a member of Rajya Sabha, 1957–59.

4. The Indian National Army

Editorial, *Leader*, 17 September 1945.

The Government of India will do well to pay heed to the resolution of the Congress Working Committee demanding the release of the officers, men and women of the Indian National Army formed by the Japanese. Not only Congressmen but all sections of Indians, Hindus as well as Muslims, martial as well as non-martial communities, politicians as well as non-politicians, are interested in the fate of these soldiers. The Government's reply that the law should take its course will satisfy no section of Indian opinion. Mr A.H. Lari, who is a prominent member of the Muslim League, correctly represented Indian opinion when he said, 'Reports emanating from official sources with regard to the treatment of the men and officers of the now defunct Indian National Army are disquieting in the extreme.'

We know the penalty the law prescribes for those soldiers who join the enemy, but the Government must remember that circumstances in India are different from those in Britain and other countries. The Indian soldiers were told by the Japanese that the object of the Indian National Army was the liberation of India from alien control. If there had been a national government in India, the so-called Indian National Army would not have been able to procure any recruits, for India being a free country, the question of her liberation did not arise. The recruitment of the Indian National Army was further facilitated by the fact that after the surrender of Singapore, some of the British officers told the Indian soldiers that as the Japanese were in occupation of the

country, they should carry out the instructions of their new masters. The Government should also remember that in the matter of evacuation the authorities discriminated against Indians whom they left to their fate in Penang and elsewhere. Such treatment cannot foster loyalty to British Raj. It is also well known that the Japanese employed force to recruit the Indian National Army. Gen. Maltby who was in command at Hong Kong when war broke out, says, 'I believe that the question of the Indian National Army formed by the Japanese is both Hong Kong and Malaya is now subjudice. I can only speak for Hong Kong ... I think that all those who joined the Indian National Army in Hong Kong did so only under severe duress.'

The fate of the soldiers of the Indian National Army should be decided not by law courts but by statesmen. The law courts are not concerned with the political repercussions of their orders but the statesmen are. The Indian National Army is composed mainly of Sikhs, Punjabi Mussalmans and Dogras. Their relations in the Punjab, the so-called sword arm of India, are awaiting the decision of the Government. The other day Sikhs staged a demonstration at Mussoorie. A procession marched through the city and later a public meeting passed a resolution asking the Government to be lenient. If the Government are not lenient and if they inflict on the soldiers some condign punishment, the army will be stirred to its depths. We have referred to the effect on the army because those in authority think it is immune from political influences. But it is not the army alone which is interested in the fate of the soldiers of the Indian National Army. As we pointed out above, the question interests all classes of the population. The Labour party wants to come to an agreement with India. When an agreement is reached, and a national Government is established, one may be certain that the soldiers of the Indian National Army will be released. If the present Government carry out the wishes of the Government to come, they will earn the goodwill of the people of this country. If Mr Amery had been Secretary of State of India, we would not have made this appeal. That man was impervious to all appeals. He did not believe in conciliation. But Lord Pethick-Lawrence has told us that he believes that a great empire can be built up only on mutual understanding, assistance and goodwill. Hence this appeal. Let him translate his professions into practice.

5. Sarat Bose on INA

Bombay Sentinel, 21 September 1945.

Bombay, 21 September. 'Indian independence can be achieved only by brave soldiers inside and outside India—who are determined to fight and die for their country and not by glorified chatter boxes and fashionable internationalists', said Mr Sarat Chandra Bose, who arrived in Bombay this morning by the Calcutta-Nagpur Mail to attend the AICC.

Mr Bose said: 'Sisters and brothers of Bombay, soldiers fighting for India's freedom under the banner of the Congress, I greet you. I greet you as one who has been with you through thick and thin and will be with you till the last breath of my life. In the present state of my health, it will not be possible for me to say much to you this morning. The thoughts uppermost in my mind are thoughts about the Indian National Army who fought and sacrificed themselves for India's freedom. And on your behalf and on behalf on my countrymen all over India I desire to utter one word of warning—warning to the British Imperialistic Government.

The warning is this—that not a hair on the heads of the brave soldiers of Indian freedom must be touched. The war which has just come to an end was an imperialistic war, a war between Anglo-American Fascism (to use an expression of George Bernard Shaw) on the one hand and German and Italian Fascism on the other. It is true that Anglo-American Fascists raised the slogan that it was a war for 'freedom and democracy'. But it was nothing of that kind. If anyone fought for

freedom and democracy it was the brave soldiers of the Indian National Army. And I desire to repeat again that warning—that not a hair must be touched of the soldiers of the Indian National Army. I know that some people said in April 1942 and also subsequently that the Indian National Army were coming to India under Japanese auspices and under Japanese control and more in the interests of Japan than of India.’—API.

6. The INA Fought as an Army of an Independent State: Statement by Asaf Ali, Convener of INA Defence Committee, 10 October 1945

Amrita Bazar Patrika, 13 October 1945.

New Delhi, 10 October. As Characterised in a Press report appearing today the trial of three INA officers, namely, Shah Nawaz Khan, P.K. Sahgal and G.S. Dhillon, is the most notable in India's history since the trial of Bahadur Shah, the last King of Delhi. It differs in several respects from the other trial.

It is one of the anomalies of history that the King of Delhi, from whom the East India Company acquired authority to collect the revenues of the then Bengal Province, was tried by the officers of the Company for aiding and abetting a rebellion. It is still a mystery how the employees of the King of Delhi could try their employer for rebellion.

Indian historians have called the rising of 1857 a war of independence, but the motives behind this war were various. While Maharattas participated in it to establish their empire, the adherents of the King of Delhi were fighting to restore his authority to the throne of Delhi. In any case no historical event since the Battle of Plassey has been recorded which has the same significance as the issues involved in the case of those who fall under the category of the INA.

A dispassionate study of the history of the INA discloses three definite facts: While an unprecedented upheaval of colonial forces was going on throughout the world in connection with the war that ended, a Provisional Government of Free India was formed outside India and this Government was recognised by at least 9 other Governments then existing in the world.

According to the literature available on the subject a regular war was declared by the Provisional Government of India on Great Britain, its sole object being to liberate India from foreign domination.

It is a historical fact again that India has been a dependency of Great Britain for more than a century by the right of conquest. No one in the world today will admit any country's right to conquer another country. According to the Hague Convention of 1907, war was outlawed, but unfortunately two devastating wars have appeared in the world since then. The European War of 1914 was fought to end wars and the last war was fought against aggressors, that is, countries who believed in conquering other countries. All this means that the fight of might was challenged and 5 Nations co-operated in finishing it.

Unfortunately, during all this time, India's right to be a free country was held in abeyance and in fact resisted in spite of earnest pleadings. It is, therefore, not surprising that a Provisional Government of Free India sprang up outside the borders of India. The forces organised by this Government came to be known as the second INA. The first INA was formed under Capt. Mohan Singh, but when it was realised by the officers of that Force that the Japanese simply wanted to exploit it for their own purposes, the first INA was broken up. The second INA consisted of POW's and Indian civilians. The maximum strength of the forces rose to 50,000 nearly half of which consisted of civilians. The other half consisted of POW's of the British Indian Army who had been set free by the Japanese.

The full story of the pre-disposing causes will come out if ever the trial, which I regard as ill-advised, is allowed to proceed.

A certain amount of prejudicial, and even scurrilous, propaganda is being carried on by private correspondents in the neutral columns of a certain section of the Press. As a lawyer I am surprised that this is happening. Even if the complex questions of international law were not involved in this case, this kind of poisonous propaganda would make it possible for the accused to question the jurisdiction of any British Court.

The attempts that are being made to vitiate the atmosphere of a free and fair trial would entitle the accused to claim that they cannot get a fair trial if malicious propaganda is carried on to poison the atmosphere against them.

I am not at liberty to disclose the line of defence at this stage, but I think I have given a fair indication of some of the leading facts and issues involved in the case.

The main charge against the accused is that of waging war against the King. Speaking without prejudice to the right of the accused to put up whatever defence they like, it is extremely hard to see how an independent force of an independent Government, even though provisionally formed like many Governments who operated from England, can be charged with any offence under the Penal Code or any other British-made law.

If anybody can ever have the right to try such persons it should be the free Government of India. And considering the latest declaration of the British Government's policy in respect of the Constituent Assembly, it is obvious that sooner than later India should be in a position to have its own free Government. There is no reason why a trial of this nature should not be held-over till that Government has come into power.

As for an international tribunal, only the offences which would be considered war crimes under international law could be tried by it. Here it is merely a case of one State being involved in a regular war against another State and Prisoners of War being called upon to plead guilty or not guilty according to the laws of the victorious State. This offends against the principles of international law.

I am not concerned at this stage with other offences. I am only talking of war and should not like to anticipate what will transpire at the trial and therefore, I do not think I need say any more on the subject.

Finally, I should like to answer a question which I have heard repeated in some quarters, namely, how can the Congress justify undertaking the defence of persons who fought on the side of the Axis and against the Allies?

I must point out that ever since the Congress passed the resolution for the appointment of a Defence Committee news has come through that various other organisations belonging to different communities have also appointed Defence Committees for the same purpose. It clearly shows the feelings and the sentiments of the country in respect of these persons. Secondly from all the facts known it is beyond doubt that the INA had to fight hard against Japanese domination, and it did not go into action as the tool of Japan but as the army of an independent State. Their object was to liberate their country from foreign rule. No self-respecting Indian can be expected not to recognise the spirit of freedom among their own countrymen wherever they may be.



7. INA Defence Committee Urge Postponement of Trial¹

Letter dated 15 October 1945 from Bhulabhai Desai and Asaf Ali to Viscount Wavell.

N. Mansergh (ed.)—*Transfer of Power*, Vol. VI, pp. 341–44, and *Hindustan Times*, 26 October 1945.

The circumstances which led to the formation of the Indian National Army are now common knowledge all over India. It is no exaggeration to say that while some may doubt the propriety of the policies which led to the establishment of such an army as an independent military organisation under the command of its own officers, Indians of all communities, persuasions and schools of political thought recognise and appreciate the selfless patriotism which actuated those who took part in this movement.

After the conquest by Japan of the French and Dutch possessions in South-East Asia and the fall of Burma, Malaya and Singapore, there arose a great desire in the minds of Indian inhabitants of these countries to organise not only for their own defence and protection, but also for active participation in the movement for the liberation of their home country from foreign rule. The rapid movement of events throughout the world led to the further intensification of this resolve, and they appear to have determined to make a bold and resolute bid for the achievement of the independence of India.

Independence League were established throughout the length and breadth of these countries and a Provisional Government of Free India is reported to have been eventually setup, and a well-organised, well-trained and well-disciplined Indian National Army operated under its control. According to the accounts available, this Government was not a mere puppet Government under Japanese control, but was an independent Government with a definite international status.

It is understood that in addition to a large number of Indian civilians residing in the locality, numerous officers and men of the Indian Army who had been surrendered by the British to the enemy, joined the Indian National Army.

We do not propose to enter here into any discussion about the legal status of the officers or men of the INA and it would also be inappropriate to discuss here the question whether they can be said to be guilty of any offence. The only question at this stage is whether it would not be contrary to public interest to bring them to trial and assuming that it is not so, when and by whom such a decision should be taken.

These men of the INA are virtually being charged with having endeavoured to enter India with armed force to liberate it from British domination. That alleged offence primarily concerns the Indian people, and the more so as the Government have publicly announced that India will have the right to secede from the British Commonwealth if the Indian people so desire. So far back as 1929 the then Secretary of State for India, Mr Wedgewood Benn, speaking on behalf of HMG in the House of Commons, said that whatever might be the deficiency in theory India already enjoyed 'Dominant Status in action'. The first privilege of that status in action is that in a matter like this, which vitally affects the lives and liberties of a large number of Indians drawn from all parts and principal communities of India, the wishes of the people of India should be ascertained and given effect to. Judging by the trend of public opinion in the country, this INA trial should not be pursued any further.

At this juncture the Central Legislative Assembly and the provincial Legislative Assemblies have all been dissolved. But by the middle of December 1945 the Central Legislative Assembly will have been re-elected and by the month of March 1946 general election in all the British Indian provinces will have been held, and the British Government expects that soon thereafter Ministries in provinces will be formed to undertake the tasks of Government in their respective

spheres. His Excellency the Governor-General has also announced his intention to reconstitute his Executive Council soon after the General election so that it may be representative of popular opinion in the country. All these constitutional events are due to take place in the next few months.

The Defence Committee believes that the Governor-General with his reconstituted Executive Council will be in a much better position to gauge public opinion in this matter. Representative of the people will also have opportunity to express their opinion upon it in the newly elected Central and Provincial Legislative Assemblies. All the provinces are interested in Indian National Army because men from every province have contributed to its personnel. The Government will be able to arrive at a proper decision whether the intended trial of INA officers and men should take place at all and if so, when and how.

The Defence Committee, therefore, earnestly urges that the trial fixed for 5 November, 1945 and all other contemplated trials should if not abandoned, be atleast postponed and the whole question relating to the INA be examined afresh after the Governor-General's Executive Council has been reconstituted and the Ministries in the provinces begun to function.

The Defence Committee is convinced that it would be a tragedy if this matter were approached and disposed of in a narrow technical and legalistic spirit. Unprecedented issue of this nature require to be decided in a broad and statesman-like spirit. There are various aspects of these issues of great public and political importance and hasty decision not in consonance with popular will and sentiment, will have far-reaching repercussions throughout the length and breadth of India. So deep and widespread is the appreciation of the motives and aims of the movement of which Indian National Army was an expression.

The Defence Committee requests that the matter of the trials of INA officers and men by court martial be abandoned or that in any event no proceedings before any court martial be begun until after the formation of an interim Government at the Centre and the functioning of Provincial Governments on the completion of the ensuing elections, and all necessary directions may be given to the authorities concerned.

¹ This letter from the Defence Committee along with the reply received from the Secretary, War Department, were published in all the leading newspapers on 26 October 1945. The Defence Committee sent a copy to Commander-in-Chief with the request to postpone the trial until the matter is disposed of by the HE the Governor. The War Secretary's reply dated 24 October 1945 referred to the Government's press communiqué dated 27 August 1945 wherein it was pointed out that as only a minority of persons would be tried, if allegations proved correct it would be worse to extend clemency to them, and informed that Government of India regretted that it could not delay administration of justice. The correspondence was released by Asaf Ali, convener of the Defence Committee.

8. Free the INA Personnel

Editorial, *Tribune*, 13 October 1945.

We confess we are seriously concerned at the Government's decision to stage the trial of INA men. The decision is short-sighted and inexpedient and not calculated to advance the Government's own interest. No Government, unless it were completely deaf to the call of statesmanship, would think of holding the trial specially as its own part in the episode was by no means above criticism. After all, it was the Government that literally threw these men into the arms of the enemy. Public opinion both in press and on the platform has made it abundantly clear that it is entirely opposed to the trial. Unless the Government wants to open the flood-gates of bitterness in the country it will not proceed with the trial. An overwhelmingly large majority of the men and officers of the army have already been let off. Is it not sheer folly to proceed with the trial of a few men, specially when there is nothing to gain thereby and much to lose. A Government that can let off so many

men can easily afford to let off a few more, specially as the action will win for it the goodwill of the people, a commodity which is the unceasing effort of all good Governments to win. Most of these men are Punjabi. It is the Punjab that can claim to have rendered the greatest help to the British Government in the hour of its need. The British Government cannot refuse the Punjab's demand for the release of INA men if it has the slightest sense of gratitude for the great services rendered by her sons. Lord Wavell is both a soldier and a statesman. As a soldier he cannot but have sympathy for those soldiers who were placed by a cruel fate in the hands of the enemy; as a statesman he cannot fail to realise that the trial will leave behind a trail of bitterness that will nullify all his efforts to restore calm on the Indian front. The interests of both India and Britain demand that all INA men and officers should be released.

9. Abandon or Postpone the Trial

Editorial, *Leader*, 25 October 1945.

To a request by the Defence Committee for postponement of the INA trial in order to enable the Defence to collect and collate the evidence, interview witnesses and prepare the plan of defence, the authorities are reported to have replied that arrangements have proceeded too far to allow of a change in the date. But not daunted, the Committee is making a fresh effort to secure postponement of this and other trials on political grounds till the elections are over and the new Government is formed. We do not know whether these efforts will be crowned with success. Even from the narrow point of view from which Government officials are accustomed to look at these matters we cannot congratulate those responsible for the decision to hold these trials. Whatever the charge against these persons may be, the question is one which should not have been dealt with by the law officers of the Government. It was a political question for statesmen to consider, not for lawyers to decide.

Even before the trial has begun, public opinion in this country has expressed itself in unmistakable manner. Congressmen, Liberals, Muslim Leaguers, Hindu Sabhaites, Sikh leaders, in fact all sections of our people, are unanimous that the Government committed a grave error of judgment in deciding to hold the trials. If the intention is to make an example of men who went over to the enemy, the Government must be already aware that the purpose has been defeated. Far from looking on these men as prisoners guilty of high treason, the public attitude is that they are patriots who struck a blow for the freedom of their country. Even conviction of these persons after trial is not likely to change the opinion of the public. Rather, they will be considered martyrs whose suffering and sacrifice will bring the day of freedom nearer.

During the whole period of the war, the main political parties in this country refused to offer cooperation to the Government in the war effort, because they considered it a war of rival Imperialisms and not a war of liberation. Still there were many who actively joined the side of Britain and fought with the Allies. If a few went over the side of Japan and Germany and fought the Allies, looking at the question from a purely moral point of view, we do not see how the action of one is commendable and the action of the other is non commendable. What the British Imperialists and their henchmen, the petty bureaucrats, in this country will not understand is this, for them India may be a possession to be dragged about on this side or that according as Britain fights this country or the other. India may be a subject country but her people have not lost their capacity for independent thinking. When it is remembered that India was in the last war not by her own volition, but because she was forced into it by Britain, the angle from which the actions of those who joined the Indian National Army will be viewed, will be completely different. The right persons to pronounce an opinion on their guilt or innocence are their own countrymen, not an

alien government or its agents. Let the Government postpone the trials till the elections are over and the new Government considers the whole question anew. To hustle matters will be folly. To attempt to secure their conviction before the new Government is formed will be worse. It is the surest way of poisoning the relations between India and Britain—relations which are already unhappy—beyond hope of reconciliation.

10. Drop the Trial

Editorial, *Amrita Bazar Patrika*, 26 October 1945.

A number of INA officers and men are going to be court martialled. The majority of them either surrendered or were captured in Burma. The mention of Burma calls to mind the conduct of the British authorities in that country when they made a hasty retreat leaving Indians to their fate. Public memory is proverbially short, yet we believe the public have not forgotten how in the arrangements for evacuation from Burma and Malaya racial discrimination was made, how Indians were refused accommodation in ships, to what indignity the highest and the lowest of them were subjected, how thousands died on their way to India while trudging on foot across hills and jungles. Had the war turned differently who would have been court-martialled and by whom?

What is the 'crime' for which the INA men are going to be tried by a court-martial appointed by the British authorities? They were the 'Army' of Subhas Bose whose great 'crime' was that he had failed in his venture. He cannot, therefore, be crissed with George Washington who rebelled against the British rulers of his country and succeeded. Washington is, therefore, worshipped as a hero not only by his own countrymen but, what is strange by the English people whom he had defeated in battle. And Subhas Bose is a 'traitor'. The Army that he had organised is, therefore, a body of traitors who deserve to be hanged out of hand, and it is an act of mercy that the privilege of being defended by lawyers has been extended to them!

The INA men did something which, we believe, will be another charge against them. They had protected to the best of their ability their countrymen in Burma whom the British protectors had deserted, anxious as they were to save their own skin. How weak and rotten was the Government of Burma was evident when that Government fell like a house of cards practically without any effort to defend the country of which it was the self-appointed trustee. Germany has paid the penalty for her weakness, so too, has Japan. But the weakness of the British in Burma and Malaya has escaped punishment simply because the Americans near our home and the Russians far away saved the British Empire. The collapse of Japan would not have been so sudden but for the American atom bomb. The weakness of the British, therefore, was made good, and the victory earned, and largely borrowed, is reaping its reward. One reward is the proposed trial by court martial of the INA men. Led by a Bangalee, the army was composed largely of Punjabis. And among those Punjabis were, and are, many Muslims. The Punjab Ministry, a slave to Governor Glancy (and in this estimate we are in complete agreement with Mr Jinnah) has been driven by the force of public opinion to ask that the INA men may be 'leniently treated'. We are thankful to Mr Jinnah for his sympathy, though a little believed. It is good to learn from him that 'the Punjab Provincial Muslim League has already taken up this matter to render these men every possible help irrespective of any caste, colour or community'. If Mr Jinnah will go a little further and if his sympathy is not mere lip-service, he should derive some lesson from the spirit the INA men displayed. They did not place caste or community above the nation. If ever there was an army of India worthy to be called 'national' it is this Indian National Army. Have Mr Jinnah and his League to learn nothing from the example of the men? With the Muslim League's support, with the Punjab Unionist Ministry's support, all India is solidly behind the Congress demand that the

trial of the INA men should be dropped and they released forthwith. Never perhaps has the British Government in India found itself so isolated. Not a single Indian in this country of slaves, not a single Indian organisation in this country, where there are some subsidised by the Government or otherwise encouraged, has stood up to say one word in support of the trial that is going to be held.

We are no lawyers and need not discuss the legal point whether the INA men have been guilty of treason, sedition or any other offence known or unknown to the Indian Penal Code or any of the numerous British laws and 'un-laws'. But every Indian will acknowledge the profoundness of the truth embodied in these words of Dr K.N. Katju whose article on the subject we published recently:

Treason presupposes a national State and a national army. For a subject people, the law of treason or of sedition has no moral sanction behind it. It is an imposition by an external authority a lawless law which it may be often one's duty to break and disobey. In this view the worst traitor may in truth be the most selfless patriot; and an Indian traitor on the scaffold is like the Christ Jesus on the Cross crucified alive, giving his life so that his countrymen may live and breathe freely as free men in their own homes.

The INA men had staked their lives and they would be as prepared to face the bullets from a squad of executioners as they were to face the bullets on the battle-field. But they will not have suffered and died in vain. If all India is today full of admiration for them, it is because they have abolished the British law of treason much more effectively than any of their great countrymen did in civil life. Many of their comrades have shed their blood on Indian soil and India will never forget it, as Eire has not yet forgotten the atrocities of British rule in that country.

11. Government's Refusal to Postpone the INA Trials Not Wise

Editorial, *Hindu*, 27 October 1945.

By turning down the request that the impending trials of officers and men of the Indian National Army be abandoned or at least postponed it seems to us that His Excellency the Viceroy has missed an opportunity for the exercise of great statesmanship that might have radically altered Indo-British relations for the better. And we cannot help believing that, in taking up an attitude that is perhaps conventionally correct but unimaginative in the extreme, Lord Wavell has acted against his own better instincts. It has been stated, on the authority of a person who played a prominent part in Malaya during and after the war, that Lord Wavell intervened and secured the release of a number of Indians who had been taken into custody by the British forces of occupation on arrival in that country. If his view was that Indians in Malaya and other countries of the Far East should not be arrested and tried by the military administration there for purely political offences alleged to have been committed during the chaotic period of the Japanese occupation and its aftermath, it is difficult to see how the INA trials scheduled to take place at New Delhi next month can be logically proceeded with. The central fact about the INA is that it represents not so much a military or a legal problem as a political one; as such it must be dealt with on purely political lines if it is not to breed endless trouble.

The War Secretary merely begs the question, when he says in reply to the representations of the Defence Committee, 'The Government of India are unable to adopt a course which would mean staying the administration of justice for at least several months in the case of a considerable, though as yet unascertained, number of persons.' Delays of several months or even years are not unusual in the annals of the administration of justice in India, where the offences charged are of a political complexion. That apart, the mere fact that the persons involved are described as

constituting, 'a considerable, though as yet unascertained, number', suggested that the judicial process is *prima facie* inapplicable to these cases. Where opinions and sympathies, rather than over-acts, are in question and anything like a rigorous testing of evidence is impossible there can be no proper judicial trial.

Besides, there is the larger question of public policy to be considered. The INA came into existence directly as the result of the British power in Burma, Malaya and other Eastern colonies quitting those countries and defaulting in its primary responsibility of affording protection to their inhabitants, including the Indian settlers. These latter at first banded themselves together for self-protection. Later they decided on active participation 'in the movement for the liberation of their home country from foreign rule'. Messrs. Bhulabhai Desai and Asaf Ali rightly emphasise that 'these men of the INA are virtually being charged with having endeavoured to enter India with armed forces to liberate it from British domination'. Attempts have been made to prejudice their case by suggesting that they obeyed a Provisional Government which in its turn was a puppet under Japanese control. That charge is yet to be proved. But, if succumbing to the superior force of a Power in occupation or even cooperation with it purely on grounds of expediency can be regarded as just ground for penalizing large masses of the people, there will be few countries in Europe in which a considerable percentage of the population will not have to be locked up and tried *en masse*. In a statement on Indo-China issued by certain British Members of Parliament this point is well brought out. 'Some sections of the Far Eastern nationalist movements sought to use Japanese imperialism as a weapon against the return of their western master and found themselves instead tools of the Japanese. However confused and misguided they were, they did in fact stand for genuine popular forces of national liberation and progress, unlike the European Quislings who represented reactionary and privileged minorities seeking outside Fascist support against their own people'. That applies as much to the INA men now awaiting trial as to the Indonesian national forces which have achieved a measure of success that has induced the Dutch to parley with them with the active good offices of the British Government itself.

Whether a movement for national liberation succeeds or fails, whether it is right in the methods it adopts or is misguided, whether it enlists the active support of large masses of the people or only of a minority—these are questions which, however they may be answered, do not affect the central truth that the desire for freedom is sufficient justification by itself. Any attempt to suppress such movements by force or to penalise those who promoted or took part in them cannot but fail in the long run, as Mr Sumner Welles rightly points out.¹ The effect of forcible suppression can only be to intensify the thirst for freedom and to fan the embers of bitterness. So far as India is concerned, the Labour Government in Britain will do well to remember that she has been promised freedom with the right to cut herself away from the Empire if she should so choose. British spokesmen have trumpeted it abroad all through the long years of the war that India's war-time army of two million men represented a unique phenomenon in that it was a volunteer army which had elected to throw in its lot with the Allies solely because these millions drawn from every race, class and community, were convinced of the essential righteousness of the Allied cause, and convinced too that they themselves would be striking a blow for freedom for all peoples. Those who have put this forward as an argument in defence of Britain's failure to consult the popular leaders before she led this country into war, cannot now consistently deny to the INA forces which are as widely representative of the Indian people as the Indian army which has fought in four Continents, a similar right to follow their conscience. It would be hardly proper to treat them as traitors because they had obeyed the dictates of patriotism as they conceived it. In any case, the British people, with their long traditions of freedom, should see that as the allegiance of the INA men is (technicalities apart) owed only to their people, a government responsible to the latter may alone

rightly claim to sit in judgment over them. We would earnestly appeal to the Labour government to see the matter in this light and at least postpone these trials till popular governments are established.

¹ See chapter 2 document 2 for an editorial on Sumner Welles' book, *An Intelligent Americans's Guide to Peace*, 1944.

12. Celebration of INA Day in Calcutta, 7 November 1945

Report in *Amrita Bazar Patrika*, 7 November 1945.

'Any punishment inflicted upon any member of the Azad Hind Fauj will be taken as a punishment on India as a whole. Touch a hair of the head of a single member of the Azad Hind Fauj and you commit an act of sacrilege which India will never forgive and forget'—declared Syed Nausher Ali¹ amidst thunderous applause while addressing over a lakh of people who had crowded the Sradhananda Park on Monday (5 November) evening to observe the 'Azad Hind Fauj Day'.

Pitched to the highest state of excitement the crowd as one man hailed Syed Nausher Ali—the President and the only speaker of the evening—when he called upon the nation to stand prepared to give effect to the united demand of India for the release of INA officers and men.

The crowd lustily cheered when he referred to the non-communal outlook of the INA who fought not for Pakistan or Hindustan but for India as a whole and declared: 'It should be an eye-opener to those who still have got the slightest trace of communalism'.

Hundreds of processions from all over Calcutta converged to the Park which by the time the meeting began appeared as a sea of human heads. All approaches to the park were jammed with crowd.

It was the first meeting held in Calcutta with which the Congress was associated since the withdrawal of the ban after four years, and it was the biggest meeting in many years. Frequent shouting of slogans from all over the Park, and the display of numerous national flags electrified the entire atmosphere. A full-sized portrait of Subhas Bose was placed in front of the dais, and almost all prominent Congress leaders including Pandit Ram Shankar Shukla of CP were present.

Just before the meeting commenced S. J. Surendra Mohan Ghose, President of the Bengal Congress, hoisted the national flag in the midst of singing of *Bande Mataram*.

The meeting opened with the singing of 'Jana Gana Mana Adhinayak' followed by an appeal by S. J. Amiya Bose, Secretary of the INA Relief Fund Committee, for contributions to be sent to, 1, Woodburn Park, Calcutta. The warsong of 'Azad Hind Fauj' was then sung.

Syed Nausher Ali then delivered his speech. He said they had assembled this evening to do a sacred duty—a duty that India owed to her valiant sons and daughters that formed the Azad Hind Fauj.

After the conquest by Japan of the French and Dutch possessions in South-East Asia and the fall of Burma, Malaya and Singapore, Indians in those countries felt an imperative necessity and urge to organise themselves for their defence and protection as well as for the liberation of their motherland from alien rule. Quick succession of events throughout the world led to further intensification of this urge and they decided to make a bold and resolute bid for the attainment of India's independence.

Azad Hind Sanghas, he continued, were established throughout those countries which eventually led to the formation on 21 October 1943 of the Provisional National Government of the Azad Hind under the leadership of that immortal son of India, Subhas Chandra Bose. This was not a mere puppet Government under Japanese control but was an independent Government

with a definite International status recognised by at least nine other Governments then existing in the world. The Azad Hind Fauj, he said, was an army organised, maintained and controlled by this Provisional Government of Azad Hind. It owed no allegiance to nor was controlled by any other authority. (Applause).

It appeared, he proceeded, that the Provisional Azad Hind Government declared war on Great Britain and the Fauj carried out the orders and directions of the Azad Hind Government and of no other authority. Their whole object was the liberation of India from foreign yoke. This Azad Hind Fauj was composed of a large number of Indian civilians residing in those countries and of officers and men of the British Indian Army who had been abandoned by the British to the enemy at the time of their retreat.

These valiant fighters of India's independence, he said, were now awaiting trial and were exposed to risks of punishment from an unsympathetic alien Government for their only sin of intense patriotism.

'Should we be silent spectators to these happenings?' asked the speaker. 'No' has been the emphatic and unanimous answer given to this question', the speaker continued, 'by the whole of India. It is now for us to give effect to this answer'.

'It is not for me standing here before you', he went on to say, 'to discuss the legal aspects of the question that arise relating to INA, to say that members of the INA should have been released immediately on the termination of war as prisoners of war. At any rate the unanimous demand of the Indian people irrespective of caste, creed or colour or of political opinion should have been responded to by the Government. India demands the immediate unconditional release of all members of the Indian National Army untouched, unharmed and uninjured'.

'On the eve of a promised constitutional change', Syed Nausher Ali said, 'for the freedom of India it will certainly be not wise statesmanship to do anything which will create bad blood between the two countries or will leave unforgettable bitterness in the minds of the Indian people. We feel it our duty to warn the authority that India will not tolerate her united demand to be flouted or ignored, and that the consequences of any indiscreet action on their part taken in defiance of the united demand of India will be absolutely theirs'.

'After all', the speaker continued, 'the Indian National Army has done exactly as the Europeans who have been eulogized and characterised as the very height of patriotism in those who had tried from outside to liberate their countries from the occupation of the Germans during the last war. If Britain were occupied by Germany they would fight for her liberation from America or other parts of the world, it is very difficult to see how the action of the Indian National Army could be considered as a crime. What is sauce for the gander ought to be sauce for the goose, and simply because the Azad Hind Fauj has not been successful in achieving its object they cannot be tried by the British Government as criminals'.

'If patriotism is a crime', he declared amidst shouts from the crowd, 'every Indian is guilty of the offence; and any punishment inflicted upon any member of the Azad Hind Fauj will be taken as a punishment on India as a whole. Touch a hair of the head of a single member of the Azad Hind Fauj and you commit an act of sacrilege which India will never forgive or forget'.

'We welcome the 80,000 members of the Azad Hind Fauj', Syed Nausher Ali declared amidst thunderous applause, 'in our midst to serve India under the flag of the Indian National Congress. India will certainly render all possible assistance to her brave men and daughters in their difficulties and distress'.

He continued: 'The Azad Hind Fauj have already paved the way for national unity and have practically killed the demon of communalism. Hindus, Moslems, Sikhs and persons professing other religions composed the Azad Hind Fauj. They never thought, felt, talked or acted in terms

of sects or communities. They ate together in the same mess, fought together and died together banishing all prejudices of caste, creed or colour. The rank and file, the officers and the Commander-in-Chief Subhas Bose ate the same food and ate it together. The brave daughters of India formed the Rani of Jhanshi Brigade under Captian Lakshmi. Thus the valiant children of India of both sexes and of all creeds formed themselves into an Indian army of independence for the emancipation of India from bondage. We may remember in this connection the desire of the officers awaiting trial that they would not accept any assistance from any communal organisation’.

‘The Azad Hind Fauj’, the speaker said, ‘was one army under one leadership for the liberation of India as a whole without any other consideration whatsoever. Hindustan or Pakistan never occurred to them and the vision of the Azad Hind Fauj will be an eye-opener to those sections of the Indian people who still have got the slightest trace of communalism in them. The days of religious wars are gone; nobody now jumps at the throat of another simply for his religion, and communalism exists nowhere in the world except where a third party stirs it up and keeps it alive in its own interest. It is bound to disappear with the attainment of independence and this has been amply demonstrated by the Azad Hind Fauj (Loud Cheers)’.

Concluding Syed Nausher Ali said: ‘The 5 November 1945 will be memorable day in the annals of the struggle for India’s independence. On this day has commenced the trial of three noblest sons of India for the crime of their patriotism’.

‘We Indians are believers in divine dispensation and in efficacy of prayers. I would request you to pray according to your own rites for the safety and well-being of the officers and men of the Azad Hind Fauj’.

Syed Nausher Ali referred to duty that lay before the nation and said the Indian National Congress had undertaken the defence of the officers. ‘But we must stand ready for any action that may be necessary to give effect to the unanimous demand of India for the release of all members, officers and men of the Azad Hind Fauj (Thunderous applause). The officers and men of the Azad Hind Fauj are indispensable for our struggle for independence and we cannot allow them or their families or dependents to suffer in any way. They must be provided with the same food, clothing and other amenities of life as ourselves and for this purpose funds have to be raised’. He appealed to the people to contribute to the fund generously.

The meeting terminated amidst shouts of ‘Bande Mataram’, ‘Subhas Bose Ki Jai’, ‘Jai Hind’ and other slogans.

¹ Syed Nausher Ali—Member of Bengal Legislative Assembly, 1937–45; Speaker of Bengal Legislative Assembly, 1937–39, March 1945; Secretary, Krishak Praja Party Bengal.

13. INA Day Celebrated All Over India

(i) Report in *Hindustan Times*, 13 November 1945.

Lathi charge on students and arrest of a large number of them marked the celebration of the INA Day in Lahore and Lucknow today.

In Lucknow, mounted police made a lathi charge on a students’ procession in which several girls were injured and the President of the Students’ Congress sustained a serious blow on the head resulting in a fracture of the skull. Fifty students, including four girls were arrested. Of these 16 boys were let off with a warning. Section 144 has been promulgated in the city for a month.

In the incident in Lahore, several students, among them some girls below ten, were injured and removed to their homes unconscious and in a bleeding condition. The General Secretary of the Lahore Students’ Congress, Mr Prem Nath Lekhi, and two other student workers were arrested.

The police made a lathi charge today on students, both girls and boys, in connection with INA demonstrations in front of the Khalsa College for Women.

Since morning women students in large groups went about from college to college and school to school exhorting students to come out of colleges and schools. They dashed right into classrooms shouting INA slogans. Their numbers swelled and they were joined by boys as they marched from place to place.

Climax to this demonstration in favour of the INA was reached in the Khalsa College for Women where the police beat some students with batons and knobs. Several students, including girls below ten, were injured and some of them were removed to their homes unconscious and bleeding.

Women police also arrived in large numbers to deal with demonstrators here and there.

Most of the colleges and schools in the city both for girls and boys are closed, the students having gone on strike.

Commotion prevails in several parts of the city where the police are seen taking positions while student workers are announcing through loud speakers their mass meeting to be held in the evening.—API.

(ii) *Hindustan Times*, 15 November 1945.

Further reports of INA Day observance on November 12 show that almost throughout India processions were taken out, meetings held and 'hartal' was observed by students and shopkeepers. People of all sections paid tributes to soldiers of the Indian National Army, recalling how they fought to liberate India.

On November 12, students, boys and girls, of all institutions observed strike.

A procession which started from St. John's College paraded the main streets of the city and terminated in a meeting at the Baker Park. Mr Ram Lachman Tiwari presided.

Students carried pictures of Subhas Bose, Shah Nawaz, Sahgal and Dhillon.

Purses were presented by various people and organisations to the INA Fund.

Benares

All markets here remained closed on November 12. Students of Benares Hindu University and other educational institutions refrained from attending classes. A number of small processions of students were taken out in the city to collect funds for helping INA defence. Strong police pickets were kept ready at different police stations as precautionary measures.

Cawnpore

Students of several educational institutions stayed away from classes as a mark of protest against the police lathi charge on the Lucknow students' procession in connection with the INA. Day observance meeting were held condemning the police behaviour specially on girl students.

A resolution condemning the action of the Lucknow and Amritsar police in using violence against the demonstrations of Lucknow and Amritsar students in connection with the INA Day observance was adopted by the Executive Committee of the Cawnpore Students Union at a meeting.

Lucknow

Students of Lucknow University—Hindus and Muslims—observed a complete strike on Tuesday as a protest against the lathi charges by the police on the students' INA Day procession. Some other educational institutions also remained closed. Nationalist and Muslim Students of Lucknow University for the first time assembled in the A.P. Sen Hall to denounce the incidents of Monday

and passed resolutions protesting against the lathi charges by the police on the students, indifference of the Vice Chancellor towards the whole incident, and demanding unconditional release of the INA men.

The Lucknow Municipal Board at its meeting today (14-11-45) strongly condemned the lathi charge on the students' procession and demanded an inquiry by a non-official committee to report on the incident in order to bring to book the persons responsible for the tragic happenings.

By a resolution moved by Mr Bhrigu Dutt Tewari and seconded by Mr Musharraf Hussain, the meeting expressed its indignation and resentment against the high handed action of the Lucknow authorities in banning the INA Day procession making lathi charges at five different places on peaceful students' processions and arresting a large number of students.

The resolution also voiced condemnation of the Section 144 High Commissioner. PC banning meetings and processions as it interfered with civil liberties.

After passing the resolution, the meeting adjourned without transacting further business as a mark of protest.

Firozabad

Prabhat pheris were taken out early morning. During the day a large number of people including students, paraded the streets in a procession which terminated in a public meeting presided over by Pandit Ramchand Paliwal who explained the history of the Azad Hind Fauj and appealed to the public to generously contribute to the INA Fund. A resolution demanding the immediate release of all INA soldiers was passed.

Allahabad

INA Day was observed by students on 12 November. Congress flags were hoisted in different hostels and prabhat pheris were taken out in various localities. Babu Purshottam Das Tandon at a meeting referred to the efforts of Subhas Bose and the Azad Hind Fauj in the country's freedom battle and paid a special tribute to the absence of communalism or sectarianism among the INA Soldiers.

Amritsar

Resolutions demanding the release of all detenus and political prisoners and release of the INA men were adopted at the Amritsar District Political Conference held at Jandiala Guru. Dr S.D. Kitchlew who presided over one of the sessions, exhorted the people to join the Congress and to discard the communal organisations.

Lahore

A resolution strongly condemning the Provincial Government and the Punjab police for Monday's lathi charge in Lahore on students, including girls of 10, was adopted at a mass rally of students in Goal Bagh on Tuesday.

Thousands of girls and boys, who stayed out from their colleges and schools today as well, attended the rally, which was frequently punctuated by INA and Jai Hind slogans. Many of them were wearing the INA badge and the Tricolour armband.

Quetta

The release of INA personnel was demanded by a resolution passed at a public meeting held under the auspices of the Anjuman-e-Watan, Seth Dinamal, member of the Working Committee of the Anjuman, presiding. The principal speakers Sheikh Abdul Kabir, Malik Syed Mohd. and

Sardar Mohindar Singh maintained that the INA deserved to be congratulated for having saved India from Japanese onslaughts. Malik Syed Mohd expressed pride that Muslims had a lion's share in the Indian National Army. The Anjuman-e-Watan has started a relief fund for INA men and their dependents.

Patna

'Not only has every person the right to fight for the freedom of his country but it is his duty to do his utmost to secure that end. We differ in method with the Indian National Army men, but so far as the goal is concerned, it is same for all and there is nothing to be little their efforts.' These remarks were made by Dr Rajendra Prasad, addressing a large students' meeting held in observance of INA Day in the Congress Maidan on Monday; Mr Jagjivan Ram Presided.

Dr Rajendra Prasad pointed out how INA men, belonging to different castes and communities, had welded themselves in great comradeship for the common ideal. 'It is a lesson for us all', he concluded.

Bombay

Students of the educational institutional of Bombay observed Azad Hind Fauj Day today by abstaining from attending their representative institutions. Colleges as well as schools showed a very meagre attendance; some of the institutions observed a holiday today.

A fund for the defence of the INA men is being collected by the students.

The Bombay Municipal Corporation adjourned its meeting today in sympathy with the feeling prevailing in the country against the treatment meted out by the Government.

14. INA Day: Intelligence Bureau Report on Students' Demonstration in Lucknow

GOI, Home Dept Poll(I) File No. 21/16/45, NAI.

Intelligence Bureau
Secret

Extract from CIO Lucknow, Fortnightly Report on Political Situation in the United Provinces

15.11.45

Students

The Students' Congress observed 'INA Day' at various important centres of the Province on the 12 November. The unrestrained and provocative speeches made during the past months by Congress leaders produced their effect in the incidents which occurred at Lucknow when the students in defiance of the ban, attempted to take out processions. Muslim students also participated. The demonstrations culminated in rowdyism. There was a complete Hartal in Lucknow and partial Hartals at various other places and many educational institutions remained closed.

For information
G.C. Hyan
Assistant Director(R)



15. Situation in Calcutta: Intelligence Report

Title - Situation on the morning of 23-11-45: Intelligence Report
 Gist - CIO Calcutta's report over phone in the morning of 23 Nov. 1945
 Source - Govt of India, Home Dept Directorate of Intelligence Bureau, Govt of India, Home Poll(I) File No. 21/16/45

Doc/Starts
 Secret

Intelligence Bureau Home Department

The attached paper is forwarded to the Home Department for information.

E.J. Brevevidge
 Deputy Director

H.D. (Mr Crackwell)

Secret

Situation in Calcutta

(Received by Telephone from CIO Calcutta, on 23.11.45 morning)

The situation in Calcutta is reported to be serious and in the opinion of CIO conditions are the worst the city has experienced during the past twenty years. Yesterday (22.11.45) the Police had to open fire on six occasions and they have again had to open fire this morning. There have been three determined attacks on the Bhawanipur Police Station by mobs armed with lathis and throwing stones; these were unsuccessful. Barricades have been erected in many of the streets and are still in position. The burning of Military vehicles continues. All the Corporation employees are on strike and no water is available except from tube wells. The normal life of the city is at a standstill. At Howrah, the employees of a number of Jute mills have come out on strike and the coolies are reported to be sitting on the East Indian Railway line. It is not known whether any attempts have been made to hold up trains. Students are playing a prominent part in the demonstrations and a general trend of determined lawlessness is noticeable amongst the younger elements. Some Muslim students have joined in the demonstrations and there is now a move afoot to get the Muslim community as a whole to join in. Communists have joined in the demonstrations, which are being supported by large sections of labour. CIO reports that these disturbances are the direct outcome of unrestrained propaganda in the Press and at public meetings in favour of the Indian National Army. At the time of telephoning CIO was unaware whether Military aid had been called in, but reported that the Police were having a hard time.

Home Department (Mr Crackwell)

DIB UO No. 2 (Ym/45/45/(14)-A, dt. 30 November 1945

Title - Situation in Calcutta on 23-11-45: Intelligence Report
 Gist - Central Intelligence Officer (CIO) Calcutta's report over telephone in the evening of 23 Nov. 1945
 Source - Govt of India, Home Dept Directorate of Intelligence Bureau, Home Poll(I) File No. 21/16/45

Doc/Starts
 Secret

Intelligence Bureau Home Department

The attached paper is forwarded to the Home Department for information.

E.J. Brevevidge
Deputy Director

H.D. (Mr Crackwell)

Secret

The Situation in Calcutta

(Received by telephone from CIO Calcutta at 5.30 p.m. on the 23rd November 1945)

CIO reports that the situation in Calcutta is no worse and has, in fact, eased considerably. There have been several cases of rowdiness and Military vehicles have again been burnt. There have been three or four funeral processions attended by large crowds but these have been quite peaceful. There have been one or two meetings in the South Calcutta area but reports about these have not been received as yet.

2. At about 3 p.m. some Congress vans carrying loud-speakers went round the affected areas of South Calcutta (Bhawanipur) and broadcast message to the effect that Jawaharlal Nehru had sent a wire requesting all students and other elements to cease creating further mischief and that further hooliganism would prejudice Congress interests in the future and be a slur on Congress as a whole. About ten minutes later however, taxis containing students moved about the same areas shouting inciting slogans and asking all to continue the good work. Nevertheless, the Congress appeal appears to have had a good effect and it is now not so much student element as the hooliganism element, composed of unemployed Bengali youths and both Hindu and Muslim riff-raff, which is giving trouble. No incidents have been reported at Lal Bazaar Police Headquarters since 2.15 p.m. except one outside the Metro Cinema, the crowd started attacking Europeans—not serious attacks but merely jostling and pulling hats off, etc. This mob was quickly dispersed.

3. According to a report received at 3 p.m., whole of the East Indian Railway lines into and out of Calcutta had been stopped at Lillooah by a mob of workers from the Railway Workshops there, which poured on to the Railway lines, went into the operating cabin and held up all trains. Up to the time CIO telephoned, no trains had entered Howrah station. Road communications have also been particularly disrupted. The police have cleared the whole of Central Avenue (Chittaranjan), the main artery leading north, but there is a large area in South Calcutta still blocked by barricades and the roads leading out of Calcutta to the two aerodromes, Alipore in the south and Dum Dum in the north, have been blocked by numerous barricades.

4. The CIO did not anticipate further trouble tonight as the danger period in Calcutta is during the day, and last night nothing much happened after 10 p.m.

23.11.45

DIB a/o No: D. Bch dated 24 Nov 1945

No. u-2903/45-Poll(ii) dt. 26.11.45

Secret

The Situation in Calcutta

(Report received from CIO Calcutta by telephone at 1100 hours on 24.11.45)

Everything is normal in Calcutta this morning except for the strike of 20,000 Municipal employees, which still continues.

2. The East Indian Railway resumed working by about 2 o'clock yesterday afternoon by diverting trains. Incoming trains were diverted to Sealdah and outgoing trains were sent over the Bengal Nagpur Railway. The Bengal Nagpur and Bengal & Assam railways were unaffected.

3. Participation of labour in the disturbances was due to the influence of the Communist Party in India which brought out a one-day strike on the 22nd by the workers of the unions controlled by it. This one-day strike was subsequently extended to the 23rd. One of the main factors in assisting the return to normal conditions today has been return of the strikers to work.

24.11.45

16. Police Firings on Students in Calcutta: A Non-official Version

(i) On 22.11.1945—*Amrita Bazar Patrika*, 23 November 1945.

Calcutta students had their first post-war blood-bath yesterday (Wednesday) when as the resolution a head-long clash with the Police two were killed and 61 injured. A boy of ten died on the spot.

The occasion was the observance of the Indian National Army Day.

After a meeting which was allowed to be held without any interference students formed a procession and proceeded through Dharamtala Street. It was stopped by the police on the ground that further ahead was the prohibited zone.

This was at 3.30 p.m. and the actual clash came after three hours. But during this long period the students were left to their resources and judgment to lead themselves and face a situation which was potentially dangerous.

It was after the firing had been resorted to that Mr Kiran Shankar Ray, and Dr Shyamaprasad Mookerjee who was away from the city throughout the day, and Dr Radha Benode Pal, Vice-Chancellor of Calcutta University arrived at the spot. But then the mass feeling was keyed up to the highest pitch and could not be toned down.

As many as 13 students and pedestrians received the bullet wounds and one of them, Rameswar Banerjee, a student of Calcutta Technical School (4th year) succumbed to his injuries on his way to hospital. Mr Banerjee was hit on the skull.

His Excellency the Governor visited the place and argued with a few student-leaders with a view to dissuade them from proceeding on. But he failed. Similarly Dr Shyamaprasad Mookerjee who pleaded with His Excellency to allow the precisionists to go up to Curzon Park in the Esplanade also failed in his efforts.

At 2 a.m. a suggestion was offered that if students went by batches of four each the sanctity of Law and Order would be maintained according to the police conception and there would be no interferences in their forward move. The students insisted on a batch of eight being allowed to go.

The counter-proposal of the students was not acceptable to the police up to 2.30 a.m. Consequently they decided to stick to their posts 'if necessary for days together'.

Amongst those who visited the injured at the hospital soon after their removal were Dr B.C. Roy, Mr Devendra Nath Mukherjee, Mayor of Calcutta, Dr Radha Benode Paul, Vice-Chancellor of Calcutta University, Dr Shyamaprasad Mookerjee, and Mrs Hemaprova Majumdar.

It was what might be called a typical peaceful procession that was formed after Wellington Square meeting. It was composed of several thousands of students mainly of different Calcutta colleges and of some schools as well.

It was not stopped when it began to proceed from the Square through Dharamtala Street. It is only when the procession reached the junction of Madan Street and Dharamtala Street—a fair distance from the starting point—that it was stopped by the police. This happened at about 3.30 p.m. The immediate re-action of this ban on the students was that they squatted on the mid-road peacefully and without any protest whatsoever.

The Deputy Commissioner of Police, Headquarters, who was present at the spot expressed the view that by this method of obstructing the traffic the students were merely putting their countrymen to inconvenience. That was the only approach made by the police to negotiate a compromise. The reply given to that by a student-leader who addressed the crowd was that it was not they (the students) who were responsible for the blockade but the police who were not allowing the procession to proceed further.

Crowd Remain Squatted

From 3.30 the crowd remained squatted on the way indulging only in slogans now and then and blockaded on the east by the Armed Public Sergeants and Indian constables. There was no provocation from the either side. There was a change in the shift of the men on duty who were replaced by a new band of police sergeants and constables.

It was fondly expected that after all there would be a trial of patience. But was not so on the police side when it was 6 p.m. The crowd which swelled by this time considerably was bifurcated into two completely separate zones. The easternmost zone consisted of the main bulk of the crowd and the westernmost zone composed of both a section of students and spectators.

That move on the part of the police ultimately brought in the clash. At about 6.50 p.m. the main body of students wanted to join up with the sections that had been separated by the police. In between the two sections were the police force, both the armed sergeants and the constables.

Lathi Charge

It was just at 6.55 p.m. the main bulk of the students who until that time were found squatting on the road rose to their legs and put pressure on the police-wall. The police first resisted but soon began charging the front-rankers with lathi blows. But it could not, in the circumstances, prove effective because except those who were at the front of the crowd, could hardly realise that there was lathi charge.

Just when the lathi charge began a posse of mounted constable appeared on the scene and further divided the main bulk of the students into two sections. Both the mounted police force and the armed sergeants and constables then fell upon the different sections of the students and lathi charge went on for several minutes.

The reply came in the form of brickbats and stone chips. At first, as far as it could be seen, they came from a long distance and from the verge of the crowd. Who threw them first it was difficult to ascertain. But it was plainly seen that when the brickbats were first requisitioned for use against the police they were not done by students who were nearby.

But this situation was not allowed to last long. The clash became savage and cruel. Those students who were bent upon breaking the police cordon came very near to the police force and with bare arms could protect themselves as much as they could from the lathi blows administered on them. In some cases when the first blow succeeded in felling the victim to the ground he was not spared. In one instance an unfortunate victim to such a blow which brought him to the ground instantaneously, became the target of a further attack not from the uniformed police force but from a man who appeared to be the orderly of a police officer. The victim did not show any sign of physical re-action of this supplementary doze. Possibly he became unconscious.

While this was the case with those who were nearby, the section of students and spectators who were at a distance pelted stones at the constables and the sergeants. But ultimately the police force, particularly with the help of the mounted force, could clear the area and disperse and scatter the crowd to a distance.

Firing Begins

It was 7.10. The Police secured control over the crowd although there still continued lathi-charges by the police on the one hand and stone-throwing by the crowd on the other but the force had considerably gone down and operation was restricted to limited areas. But suddenly the firing started. Who gave the order to fire could not be known. But what could be seen was that neither the Deputy Commissioner of Police, Headquarters nor the Deputy Commissioner of South Division were where they had formerly been.

It was indiscriminate firing that continued for several minutes. How many rounds were fired could not be ascertained. One Police sergeant was found reloading his revolver after he had exhausted his first shots.

Several fell to the ground but they were picked up and removed by their friends to nearby houses. One such house was the building just opposite to the New Cinema, where a number of victims from bullet wounds as well as lathi-charges were given whatever first aid as it could be given by the friends of the victims.

Reaction to Firing

The reaction to this firing was most unexpected. Although the police could chase the crowd as far as Hotel Majestic from Dharamatala Street and could arrest a number of persons, mostly spectators who sought shelter there, it veered round with the sounds of bullet-fire.

Brickbats in hundreds began raining on the police and the police force began withdrawing from the distant places. A few of them sustained injuries as well. At one time they had to withdraw from the whole area leaving the police trucks and vans to the mercy of the crowd in sullen mood. One of such trucks in Madan Street was set on fire. A police constable who in his enthusiasm went for too near the crowd was caught hold of and assaulted and his turban removed. A senior student I who happened to be on the spot got him separated from the angry crowd and pushed him back to safety.

In the meantime, further police reinforcement arrived as also the fire-brigade with hose-pipes. They were not found to be utilized as the crowd by the time they arrived withdrew to a distant place from the scene.

The police got complete control of the situation and then the police Chief arrived on the spot followed by the Deputy Commissioner of Police, Headquarters, in civilian dress.

Although the firing took place at about 7.10 p.m. and the ambulance cars arrived at the spot very quickly, and the injured sheltered in the building opposite to the New Cinema were lodged in them, there was unnecessary detention for the removal of the injured to the hospitals possibly due to the absence of any clear order to that effect from the authorities on the spot.

The first news about the deadlock that ensued as the result of the obstruction by the police of the processionists was conveyed to the Congress leaders quickly. Mr Govind Bhounic, a Congress MLA did it and was told in reply to convey the advice that students were acting contrary to the clearly defined instruction of the Congress and, therefore, should disperse. That message could not be brought home to the crowd because it was indulging in slogans and in chorus songs. Dr Josada Bhattacharjee, a Congress leader, who happened to be on the spot advised the students to remain calm and peaceful and not to be provoked.

Latest Report

The crowds which swelled to several thousands after firing, dwindled down to some hundreds late at night. Dr Radha Binode Pal, Vice-Chancellor of the Calcutta University, and Dr Sunil Bose,

brother of Mr Sarat Chandra Bose, visited the place and tried to persuade the crowd to disperse. Dr Shyama Prasad Mookerjee was also on the spot till late at night.

The crowd however insisted on proceeding towards Dalhousie Square. The police remained firm that they could not allow this. All negotiations for a settlement failed, and the students and other demonstrators remained squatting on the road on the site of the evening's firing. They spent the whole night on the street, very inadequately protected against the cold and warming themselves as best they might by the side of paper and other fires, lit with the material of the littered streets. The processionists sang 'Jana Gana Mana' and 'Kadam Kadam Barhae Ja' and kept shouting slogans.

The police force also remained on the spot throughout, headed by Mr Norton Jones, Dy. Commissioner, Headquarters, and Mr Shamsuddoha, Dy. Commissioner, South District. They were supplemented by the Gurkha police.

12 members of the police force including a Sub-Inspector and a Sergeant, received brick-bat injuries in the evening's incidents. This brings the total of casualties to 2 killed and 61 injured. A boy of 10 died on the spot, and another injured person died in hospital.

Fifty-one injured were admitted to the Medical College Hospital and 10 to the Police Hospital.

At about 4.30 on Thursday morning the crowd observed a one minute silence as a mark of respect to the memory of those who had lost their lives as a result of police firing.

(ii) On 23.11.1945—*Amrita Bazar Patrika*, 24 November 1945.

The commotion which was created by the police firing on the students procession on Wednesday evening assumed a more serious proportion on Thursday. It spread from the students to other sections of people and there were clashes all over the city. Several firings and lathi charges took place resulting in the deaths of 13 persons and injuries to over 131 persons who were admitted in different hospitals.

The Wednesday's processionists remained on the spot, where the firing took place, throughout the night and moved away at daybreak, whereafter they paraded through the streets and held a rally at noon, much bigger and more representative than on the previous day. About 2 lakhs of people representing all communities and sections, Hindus, Muslims, Sikhs and all shades of opinion, Congress, Muslim League, Communists, Hindu Mahasabha, Khaksars etc. attended.

They again formed into a procession and renewed their march to the destination—Dalhousie Square—which they were not allowed to reach on Wednesday. But they were again obstructed at almost the same place. The police made three lathi charges and opened fire twice, but procession did not disperse. Thereafter the police suddenly withdrew and did not interfere with this procession any more, which paraded through Dalhousie Square and afterwards took the body of Rameswar Banerjee, the victim of Wednesday's firing in a two-mile long procession to Keoratolla Burning Ghat for cremation.

There was complete hartal throughout the Indian section of the city, all communities joining in it. The train and bus service was suspended throughout the city and Howrah. Private vehicles and military lorries were obstructed in different parts of the city, particularly along the principal thoroughfares. In some cases military lorries were stopped and set on fire and mobs were fired upon by the police and military. Military were placed at places making it difficult for the wheeled vehicles to move. These act of mob frenzy and incendiarism were committed by persons who seemed to act on their own initiative, emphasising the depth of feeling which was round, among the common man by the firings.

Uptil midnight the Fire Brigade people, it is reported, had to attend about so call to put out the fire on police and military lorries, the majority of them having occurred in South Calcutta.

Numerous processions, mostly organised by students, began parading in different parts of the city from early yesterday morning. Train and bus services which had already commenced had to be suspended soon. Shops, small and big, closed down in Indian quarters. The atmosphere was uncanny.

In South Calcutta, however, the trouble started rather early. A Military lorry driven by an American Negro driver, it is reported, ran over a pedestrian near Jogu Babu's Bazar. The driver, it is further reported, was caught hold of and roughly handled. His lorry was set on fire; two more lorries met the same fate.

Firing at South Calcutta

The police had to open fire, it is reported, on three occasions to keep the crowd away. About 50 received injuries out of whom 28 were dressed and discharged and the rest detained at Sambhunath Pandit's Hospital.

So far as North Calcutta was concerned, processionists moved hither and thither aimlessly for sometime. Soon after, however, other social elements organised their batches and sometimes by cajoling and often forcibly cleared the streets of rickshaws and their drivers. The hackney carriages and their drivers too followed suit.

Wellington Square Meeting

During mid-day all processions so formed in different parts of the city glided towards Wellington Square. By 12.30 the Square became a solid mass of human beings. An all-parties platform automatically was formed. The tri-colour of the Congress, shimmering blue of Islam, the deep red of the Communists, the Swastika-bearing of the Hindu Mahasabha flags began fluttering in the clear and soft air of mid-November. The batch of Muslim students who came from Islamia College direction received a rousing ovation and their presence at this protest-meeting elicited not a few emotional scenes.

Although it was a typical all-parties meeting, there was no full drawn up programme nor was there any clearly-defined idea as to the next mode. Bengal's students showed day before yesterday a spirit which must be drawing an admiration even from their enemies but its own leadership was yet to be thorough up.

The arrangement at the meeting was elementary, so to say. Microphone there was none and what speakers said at the meeting could hardly be audible a few yards away from the platform. Miss Jyotirmayee Ganguly—who was the only prominent figure at the platform and who stood by the students through thick and thin, rose to the occasion and delivered an inspiring message to the students. Soon after came Mr Sarat Chandra Bose whose presence quietened the rising tempo of a considerable section of the crowd. There was insistent demand for justice for the wrongs inflicted.

Sj. Sarat Bose's Speech

Mr Bose in course of his speech said, 'I know that some mischief-makers were at work yesterday and they were anxious to bring about a clash between students and the police and they succeeded to some extent. I know some of them are still at work today. You must not allow those mischief-makers to repeat last night's tactics. Always remember that you are expected to be disciplined soldiers of the Congress. You are expected to be non-violent. You are expected to endure all sufferings in spite of provocation.' Mr Bose reminded the audience of what Mahatma Gandhi did after the Chouri-Choura disturbances and now the Civil Disobedience movement was called off. Mr Bose particularly stressed the necessity and importance of remaining peaceful and non-violent and thereby defeat the machinations of spies and agent-provocateurs. If that could be their

achievement, added Mr Bose, they could be working for the cause of the country and for the defence and relief of the Indian National Army ...

When Mr Bose was on his legs a message reached there that the police had resorted to firing again on almost the same spot at Dharamtala Street. There had already collected a part of the crowd from Wellington Square. When the message was made known the major bulk of the crowd began melting and commenced gliding through Dharamtala Street and Ganesh Chandra Avenue with the ultimate object of reaching the spot of firing.

It was huge human-glacier and on its onward move received additional weight and momentum as it progressed. The whole Dharamtala Street was a seething mass of humanity.

When the front part of this huge procession reached Grant Street and persisted in breaking through the police-built blockade, the clash came. The old process was repeated again. There was at first lathi charge but it was soon followed by heavy lathi charge and ended in shooting by the police. There was again pelting of stones and brickbats from the side of the crowd. One Assistant Commissioner of Police was injured and had to be removed from the place. Three were injured as the result of the first firing. But it was repeated again and about a dozen fell to the ground.

Meanwhile the processions which were proceeding towards Dharamtala through other routes leading to the Northern part of the city could reach the junction of Madan Street and Dharamtala Street, the scene of first night's firing. Again the police force was completely isolated.

Crowd of Lakhs

Every way to get out of the situation was apparently closed. The total strength of the crowd must have gone to lakhs. But nevertheless it was peaceful except the part against which the police resorted to firing. It was a menacing and tense situation ...

The impatient crowd made a forward move without receiving any obstruction. It moved on and on and entered what was called the prohibited zone. It was as if looked the Ganges was in floods. The crowd reached the corner of the Government House and turned to the right and entered Old Court House Street. Yesterday's sorrows appeared to be sunk in today's achievement. There was even a malicious joy and delight which caught hold of both the van-guard and the rear-guard of the procession which looked unending.

Dalhousie Square Reached

Sanctum Sanctorum had been thrown open whatever might be the circumstances and the processionists were glad for that. The appearance of this huge crowd in the area which was definitely declared 'out of bounds' by even the highest executive of the province was most unexpected. Those who were either in the street or on the foot-paths retired and made room for the processionists to pass on. They went forward and reached at last Dalhousie Square, the target. After making a round of the Square they took the road that led them back to non-prohibited area.

There was no police arrangement to guard Dalhousie Square nor any interference from the police. At Lal Bazar headquarters, the police force were silent spectators of the scene.

After parading through Bentinck Street and Harrison Road they came in front of Calcutta Medical College Hospital to take charge of the body of the late Mr Rameswar Banerjee.

Honour to 'First Martyr'

A two-mile long procession started from the Police Morgue at 5 in the evening with the body of Rameswar Banerjee, shot last evening during police firing on students.

A placard on the bier read: 'First martyr, Comrade Rameswar Banerjee, Calcutta Technical College'. Dr Shyama Prasad Mookerjee, Dr B.C. Roy, Mr A. Zaman, Mr Niharendu Dutt Majumdar, Dr Nailaksha Sanyal, Miss Mira Dutta Gupta and others joined in the procession.

The procession passed through Wellington St., Wellesley St., Wood St., Lower Circular Road and reached the residence of Rameswar Banerjee at Harish Mukherjee Road at about 8 in the evening, where silent prayer for his soul was offered. The procession reached Keoratolla Burning Ghat at 8.30. Flowers were showered on the body from houses lining the route along which the procession passed.

Mob Frenzy Breaks Out

Towards the fag end of the day when the students were busy in forming the funeral procession and taking the body of Rameswar Banerjee to Keoratolla Burning Ghat, a mob frenzy broke out in ugly fashion in different parts of the city. Pedestrians found walking with hats on were asked sometimes with cajolery and often peremptorily to put them off. Oftentimes motorists, if they did not listen to their directions to stop or to slow the speed, became target of brickbat-attacks. If the boarder got out of the car and wanted to argue the point of stopping the cars with them, invariably the reply came that an accident had occurred and, therefore, there should be a slower speed. Not minding to this advice, Dr Khirods Ray of Creek Row, a well-known medical man of the locality, became the victim of a nasty attack. The offence he is supposed to have committed was that his car did not stop when it reached almost his house gate.

And when it was dusk, this method of stopping cars and lorries—only military lorries moved yesterday—were attacked with brickbats. At places, particularly on Chittaranjan Avenue and Circular Road, it assumed a very ugly proportion. In some cases, it is reported, it evoked reprisal in the form of firing and shooting. So far as it could be ascertained, not less than a dozen of military lorries in north and south Calcutta were set on fire and burnt down. In Chittaranjan Avenue near Muhammad Ali Park four such lorries were burnt and their drivers assaulted.

In south Calcutta near the junction of Lansdowne Road and Hajra Road not less than six military trucks were set on fire. The conflagration seemed menacing and caused concern to the people of the locality. At about 8 p.m. a military truck was passing along Ritchie Road (Ballygunj). An attempt was made to set to fire to it but it did not catch fire. It was then allowed to pass on.

Shortly after a convoy of military trucks was passing along the same road, brickbats were thrown at the convoy. From the truck which was the last in the convoy a few shots were fired which dispersed the mob, but nobody was reported to be injured.

At Shyambazar at about the same time a solitary military lorry was passing towards the north through Circular Road. The mob at Shyambazar junction wanted to stop it, but it did not. Stones were thrown at it and the reply came in the form of bullets. Three persons who were away from the mob sustained injuries and were removed to the hospital.

Firing Condemned

The police firing on student demonstrators was strongly condemned by the entire student world.

The students of Islamia College went on strike as a mark of protest against this action of the police and the meeting adopted resolutions strongly condemning both the lathi-charges and firing.

Calcutta Medical College students at a meeting also condemned the autocratic and high-handed attitude of the police; Mr Asoke Ghosh presided over the meeting.

The transport strike in Calcutta involving tram, bus, taxi and rickshaw will continue at least to-day as a protest against police action.

This decision was taken after a meeting of the Transport Workers held at Muhammad Ali Park under the presidency of Mr Ranen Sen, Indian Communist Party (Bengal Branch).

After Friday, workers of these unions will again meet and decide their future course of action. In the meantime they will conduct to-day's strike with complete discipline and avoid all provocations. The meeting also demanded the release of all those arrested and the institution of a public enquiry immediately and punishment of those responsible for the firing. An all-party council of action for securing the demands mentioned above was also suggested in a resolution.

The Bolshevik party of India at a meeting congratulated the students on their stand in defence of basic civil rights and condemned the action of the police.

17. Report on Calcutta Disturbances 21-24 November 1945 by HQ Eastern Command

GOI, Home Poll (I) File No. 21/16/45, NAI.

Report on the Calcutta Disturbances
November 21-24 1945

Part I-Narrative of events and conclusions.

Part II-Suggestions for revision of IS arrangements.

Part III-Morale.

Col. I
HQ Eastern Command

Part I-Narrative of Events and Conclusions

The disturbances which interfered for 2 days with the normal life of the city arose largely as the result of several weeks of Congress INA propaganda of the most violent and scurrilous type to which no effective counter propaganda has been put out.

This Congress propaganda has undoubtedly inflamed certain sections of the populace particularly the student and antaeian classes and the Sikh community, and this together with the resumption of the INA trial on Nov. 21st produced an explosive atmosphere which required only a spark to set it off.

The demonstration organised by Congress on Wed. Nov. 21st was to have taken the form of a procession through Dalhousie Square. Such a procession would have badly interfered with the traffic in the city. Govt adhering to the normal policy of giving no facilities to any political section to hold processions and demonstrations in other than recognised localities refused permission for the procession to pass through Dalhousie Square.

The demonstrators who consisted very largely of students both male and female reiterated their demand for the procession to pass through Dalhousie Square and began to press the police. The latter finding themselves the target of both abuse and brickbats and in danger of having their cordon broken were forced to fire more than once. Thus the spark required to produce a conflagration was provided.

II Sequence of Events

Throughout the night of 21/22 Nov. until the early hours of 22 Nov. the demonstrators, in spite of the rather half hearted exhortations of the Congress leaders, refused to disperse but the cold of the night had its effect and in the early hours the demonstrators, quite unrepentant, went home.

The city appeared normal on the morning of Thursday Nov. 22, except that all the Corporation employees had come out on strike, and public transport was running until approximately 1030 hours. By that time, however, various processions started to converge on Dharamtolla from all parts of the city and all public transport and taxis disappeared from the streets.

The first signs of trouble appeared at about 11 a.m. when crowds in the Bhawanipore District started stopping British Military vehicles, pulling out and beating up the occupants and setting the vehicles on fire. During the afternoon the police were forced to fire several times and by the evening the trouble had spread East to Lansdowne Road and West to the Kalighat Bridge on Tolly's Nullah and North almost to Lower Circular Road.

In the meantime at 1600 hours the demonstrators in Dharamtolla had pushed aside the police, who had been given orders to give way and a large although noisy procession proceeded quite peacefully round Dalhousie Square past Lal Bazar and along Bow Bazar Street.

By 2100 hours trouble had flared up in Chittaranjan Avenue where similar incidents to those in Bhawanipore took place.

On Friday 23rd after a quiet start trouble flared up again in the same areas as on the previous day. The police had undertaken to clear the road blocks in both Chittaranjan Avenue and Bhawanipore and only in the event of their being unable to do this would the Civil Govt call upon the Army to intervene.

Efforts, not altogether successful, were made to organize convoy running for military vehicles but there were still a fair number of vehicles doing individual runs which suffered the same fate as those of the previous day.

By mid-day there were indications that the trouble was tending to spread. The Dock area hitherto unaffected was beginning to grow restive and crowds were collecting. A further development was the 'satyagraha' on the EIR between Bandel and Lillooah as the result of which working of EIR trains in and out of Howrah Station was eventually stopped. Howrah was beginning to grow restive and mill employees on the right bank of the Hooghly river were coming out on strike.

In the afternoon there was a definite improvement in the atmosphere. Idle crowds were fewer and although there was a half hearted tendency for trouble to break out at Chitpur on the Barrackpore Trunk Road and at Beliaghata Bridge on the Dum Dum Road, there were signs in the city that the rioting was dying down. Congress leaders were touring the city in cars with loud speakers exhorting the populace to desist and go back home. By 2200 hours the streets were practically deserted.

It has been agreed with HE the Governor on the afternoon of 23rd Nov. that the Military should act in support of the police to keep open certain roads and at 0700 hours on 24th Troops of 2 Y & L were moved to Shambazar, Sealdah and Bhawanipore for this purpose, and 2 Green Howards were brought into the Fort from Barrackpore.

The streets were found to be clear of rioters and in Bhawanipore the rioters had even gone so far as to clear the street of debris and to pull the skeletons of burnt out vehicles on to the sides of the road.

By 0900 hours trams were leaving their depots, buses were running and taxis were reappearing on the streets and the life of the city, except for the lack of water and the usually large quantity of garbage was back to normal.

The riots ended very abruptly, an unusual thing for them to do. They displayed no communal trend. The main victims of the riots were the British Services in the order Army, RAF, navy and their casualties were:

	British	American
Killed	–	1
Injured -in hospital	22	5
not detained	43	–
Vehicles burnt	48	5

As can be deduced from the summary set out below the whole episode was an organised disturbance:

- (1) The insistence of the demonstrators on taking their procession through Dalhousie Square although it is well known in Calcutta that this Square is not an area where processions are allowed—this insistence may well have been arranged so as to provoke the police.
- (2) The sudden withdrawal of all public transport.
- (3) The choice of locality in which rioting first started and its proximity to Sarat Chandra Bose’s house.
- (4) The consistency of the rioters targets.
- (5) The dislocation of rail traffic at a distance from Calcutta.
- (6) The speed with which the rioting stopped after Congress loud-speaker vans had gone round on Friday afternoon.
- (7) The clearing up of the roadway in Bhawanipore during Friday night.
- (8) The coincidence of the Corporation employees strike after abortive negotiations with a staunchly Congress Corporation.
- (9) The lack of any Communal strife.

It is considered that this outburst was designed by Congress as a ‘trial run’ to try out their own organisation and to discover the exact reactions of both the civil authorities and the Army to such action. This is borne out by the provocative attitude of the early demonstrations and the consistency of the target selected for attack, in this case the Army.

There is no doubt that they succeeded in their first two objects particularly in the first. This revealed very clearly that they could start and stop rioting with a fair degree of control. Whether they could have stopped it so successfully if it had got more widespread is doubtful. They failed in their third, that is to discover the reaction of the Army. Whether this failure was due to an attack of ‘cold feet’ or not is difficult to say. But it must be borne in mind that it is unlikely that Congress wants serious trouble just yet and it may well be that they thought then and still do now that as the Army did not react strongly to the attacks upon it in the first 48 hours that it was not going to react strongly in spite of the notice issued to the Press on Nov. 22nd. They may well have been afraid that if the rioting was permitted to continue much longer it might get out of control, especially as there were signs of it spreading to the Dock area and to Howrah. This might well have caused it to take a Communal aspect. They therefore decided to call it off with their third object unachieved.

If this is so then the Army must be thankful for the restraint exercised by HE in refusing to call it in on Friday 23rd. The extent and nature of the Military aid to the civil power in Calcutta remains unrevealed to the Congress leaders. The Army has been given an excellent opportunity of finding out the weaknesses in the local IS organisation and of putting them right. It will face the next outburst much better prepared.

For the present all is quiet, but that quiet has been achieved not as the result of the assertion of authority by Govt but as the whim of the trouble makers. The trouble is therefore merely latent and can break out afresh at any time when its organizers wish. Moreover by permitting the procession to proceed through Dalhousie Square on the afternoon of 22 November, not as the result of an actual granting of permission but as the result of their orders to the police to give way,

Govt has carried out a further tactical withdrawal in the face of pressure and have still further loosened the loosening grip of authority in India. The ground they have thus lost they are most unlikely to be able to regain and the effect of this policy of appeasement upon the police is serious.

Effect of the Calcutta Riots on Morals

1. Army

The fact that Military personnel have been beaten up and vehicles have been burnt by the crowd with no counter action of any sort cannot fail to have a serious effect on morale particularly among Indian Troops. During this disturbance between 40 and 50 military vehicles have been totally destroyed. Some 27 members of the Armed Forces have been injured seriously enough to be detained in hospital. There has been at least one death and there have been a host of minor injuries. Apparently it is possible for all this to take place without any counter action being taken. There is nothing more calculated to persuade the Indian Troops that his only hope for the future will be to throw his lot in with the Congress party who are apparently the present rulers of India.

To readjust this it should be explained to the civil government, and published in the Press, that as the civil authorities have demonstrated their in-ability to protect the lives and property of the Armed Forces that the Military proposes to take measures to safeguard themselves should such a situation arise again.

2. Police

Police by Friday morning was giving genuine concern. Inspectors with considerable service were complaining bitterly at the absence of firm direction by Govt. They stated that even Police Sgts. were making to avoid going out; not because they had 'wind up' but because they were 'browned off' at being expected to quell disturbances by having to remain on the defensive and acting as Aunt Sally's for the mob and being unable owing to their orders to go for the mob to disperse them and restore law and order. One Inspector stated that they were instructed to hold the crowd, and if the crowd started to move towards them, they were to retire and form a cordon further back.

If police action is not backed up from above, the next outbreak will find little police forces available.

This is not an exaggeration!

3. Civilian

The effect of Govt's attitude during the recent troubles on the European and loyal Indian sections of the population is reflected in a letter in the *Statesman* of Nov. 28th. There is no doubt at all that there is a feeling of great perturbation among the European community. There is a growing feeling that authority in India as represented by the existing Govt will cease to be able to exercise any authority at all and the country will be plunged into a boggy of lawlessness and bloodshed.

Secret

Calcutta Disturbances in Retrospect

I. How they Began

21st Nov. The detailed and co-ordinated Police report on the disturbances and their cause is not yet available. From information obtained from a number of official and non-official sources, however, it appears that no deliberate disobedience of Government orders was contemplated when the students meeting originally met in Wellington Square which grew considerably as the

situation worsened after they had been stopped from proceeding to Dalhousie Square. The best way of describing their attitude is to say that they were 'ripe for trouble'. The meeting was to protest against the INA trials and the pernicious propaganda spread by prominent politicians in the press and on the platform, including direct incitement to emulate these 'INA heroes', had brought them to this state of mind.

After the meeting, which consisted of about 1,000 persons, a procession formed on Dharamtolla from out of Wellington Square. The President, one Dilip Kumar Biswas, announced that it was the intention of the processionists to parade through the official area, i.e. through Dalhousie Square which contains the Government Secretariat, along Strand Road, up Harrison Road, and finally to disperse at College Square. The procession was stopped by the local police at the junction of Madan Street and Dharamtolla where attempts were made to turn it along Central Avenue. The leaders of the procession, however, refused point-blank to follow the directions of the police and squatted on the road. The situation gradually worsened, and it was not long before brickbats and other missiles, as already described in Daily Report No. 53, were thrown at the police. Following the police firing, the situation worsened considerably. The students refused to listen to prominent politicians and leaders who told them to disperse, though in some cases these appeals were half-hearted. HE the Governor visited the scene at 10 p.m., but the students would not listen to him.

22nd Nov. About 200 or 300 processionists remained seated at the spot till about 5 in the morning when they moved through various parts of the North half of the city following an inflammatory address by Mrs Bimal Prativa Devi (CSP). According to a special Branch report, when the processionists halted some time after leaving the spot, she again addressed them and advised them to divide into party group and to enforce a hartal. By this time the numbers had swelled to about 1,000. This occurred at 7 a.m.; by 10 a.m. practically all transport in the city had stopped, and between these two times band of students were to be seen driving around in taxis stopping vehicles and forcing people to get out of tramcars. From that time on began the general acts of violence, first in the south part of the city, and later in the north and central parts of the city, and some of the suburbs.

II. Object of the Agitation

The intention of the students was *primarily* to disobey the police orders by taking their procession through the prohibited area of Dalhousie Square, and *secondarily* to enforce a general hartal in the city as a protest against police action in firing on them and refusing to allow them to go by Dalhousie Square.

III. Progress of Disturbances

1. There is little doubt that the whole disturbance was spontaneous and in its origin, at any rate, was not planned. It took everybody, including those organisations which subsequently took part in it, by surprise.

2. The cause of the stoppage of trams, buses and taxis was more probably due to bands of students than to an actual order from the Tramway Workers' and other Transport Unions who, at a meeting held later that morning, condoned this by declaring a one-day strike in sympathy with the students. These Unions are controlled by the CPI. This general stoppage of transport was a spontaneous result caused.

- (a) by students demanding an outward sign of sympathy from transport workers, and
- (b) a natural inclination on the part of those workers to declare a hartal in sympathy with the students.

The strikes by various engineering and other factories in and around Calcutta appear to have taken place mostly as a result of the orders of the CPI, who control the Unions concerned, though possibly in some cases they may have been spontaneous.

3. Throughout the morning and the early afternoon processions of students and workers, the latter usually organised by the CPI, assembled in Wellington Square for a mammoth meeting. Sarat Bose addressed this meeting and appealed to the students to behave themselves and to stop being violent. While this meeting was in progress, at about 1400 hours the police again had to fire on demonstrators at the crossing of Madan Street and Dharamtolla. The move of this firing quickly emptied Wellington Square and the crowd in Dharamtolla behind the police barricades numbered upwards of a lakh. Dr Shyama Prasad Mookerjee and one or two other leaders got on to a police lorry to address the crowd. The Commissioner of Police also got up to take a survey of the situation. At that moment, apparently without any warning, the crowd suddenly surged round the ends of the police barriers and broke through them. The Commissioner describes this as a 'dasbursting'. The procession then headed peacefully towards Dalhousie Square and, in view of its peaceful state, the Commissioner of Police decided not to interfere with it. This procession was still moving around the city at 7 p.m., though its numbers had considerably divided. It remained peaceful throughout.

4. By late afternoon on the 22nd the main roads in and out of Calcutta from the North, South and South-West (there are none on the east side) were blocked by barricades and other obstructions. Military and service vehicles and other forms of Government transport were affected in the same way as ordinary civilians and the result, therefore, was that there was very little movement of traffic except in certain unaffected areas between, roughly, Dalhousie Square, Lower Circular Road, Alipore and Ballygunge. The burning of Military vehicles, stoning of cars etc. had already begun by 2.00 p.m. The hartal was therefore practically complete.

5. One of the most significant features about the demonstrations was their spontaneity, and the rapidity with which apparently organised bands of hooligans, or demonstrators, or both placed barricades across the roads and made their arrangements for burning Military lorries. An officer of the Bengal IB, who lives in the affected area of South Calcutta, says that there appeared to be regular squads detailed to see to the carrying out of Congress order, squads detailed to throw stones at passing official Military vehicles, and other squads to hold these vehicles up and burn them. He formed the impression that these were guerilla tactics well carried out.

6. As noted above, by the late afternoon of the 22nd the city as a whole was in a ferment, and the disorders had reached their highest pitch. A few Military and RAF vehicles, as well as American vehicles, had literally to shoot their way through while getting in from Dum Dum and Alipore airfields and from Barrackpore and Tollygunge while columns of smoke from burning vehicles could be seen all along the main arterial route in South Calcutta. There were widespread demonstrations in Howrah, but no actual disorders except for the over turning and burning of one RAF vehicle. There was at least one barricade caused by the felling of a tree on the Grand Trunk Road in Howrah.

7. The RI Ry. service in Howrah was dislocated at Lillooah owing to people squatting on the lines. Incoming trains were diverted to Sealdah and the outgoing over the BM Ry. System. But by 6 p.m. the demonstrators at Lillooah had been persuaded to let trains pass through.

8. 23rd November. The day began with more hooliganism in South and North Calcutta, and the Police had to fire several times at the worst plague spot, i.e. an important crossing near the Bhawanipore Police Station. By noon, the general situation was at its worst. Barricades which were removed by the Police were promptly replaced as soon as the party had passed on, while parties approaching these barricades were stoned from all sides. Such service vehicles as were on the

road carried armed escorts. Nevertheless, there were still a few cases of service vehicles being burned. There was fairly general firing by Police and Military guards on vehicles. The water supply in the city had stopped due to the Corporation strike, most of the bazaars closed down, and the whole situation was serious. The transport strike continued.

By noon the Police had the situation only just in hand. In fact, many of the public and European business community are of the opinion that they had lost control except where they were dealing with specific instances and had sufficient force to cope with the trouble. Critics claim that the primary duty of the police is to maintain Law and Order, and by the evening of the 22nd lawlessness and disorder prevailed, and it continued up to mid-day on the 23rd. The burning of vehicles and the permanent blockade of strategic routes leading out to Calcutta continued. Barricades had become permanent instead of temporary. Furthermore, there appeared to be a complete absence from the streets of the ordinary Thana and Traffic Police, and the whole handling of the situation was apparently left to Sergeants and the Armed Police. There were many isolated instances of interference with and minor assault upon Europeans and Indians wearing ties and hats. These were taken off and burnt or destroyed as being symbols of European influence. Parties of students and hooligans in different places held up cyclists and motorists and only allowed them to pass on their uttering such slogans as 'Jai Hind'. Bands of these trouble-makers moved about in such areas as Alipore, Ballygunge, Entally, Sealdah, Beliaghata and the Lake apparently unchecked.

At about 1 p.m. Congress vans with loud-speakers toured the affected areas announcing an order from Jawaharlal Nehru to cease acts of hooliganism lest it brought the Congress into disrepute. All persons on the streets were advised to go back to their homes and to stop stone-throwing etc. The effect of this was considerable, and the undersigned himself witnessed crowds in Jagu Babu's Bazaar, Bhawanipore, dispersing voluntarily after this tour. Only one or two incidents occurred after this, one of them being assaults on Europeans and Indians wearing ties and hats outside the Metro Cinema near Esplanade. The last reported incident was at 4 p.m. By nightfall everything was normal except that street lights were not lit and water was not available on account of the Municipal strike.

HE the Governor broadcast at night and warned the public that Military were now standing by to reinforce the Police, and that stern measures would be taken against rioters.

There were a number of cases where Europeans, both civil and Military, were severely handled by infuriated mobs. In one case two Europeans, whose car had stopped, were saved from certain death by the courage of a Bengali lady, wife of a Doctor, who charged the mob and diverted their attention sufficiently long to enable the Europeans to take refuge in a nearby Punjabi hotel. They were eventually escorted to safety by four Congress volunteers carrying Congress flags.

9. 24 November. On the morning of the 24th all public transport was running and the city presented a completely normal appearance except for the debris of the previous two days' hooliganism. There have been no instances since.

IV. Reason for Cessation of Disturbances

According to a Special Branch report, since the night of the 22nd there was definite move on the part of both the CPI and Congress to take active steps to stop further disorders, and on the 23rd it was decided to send leaders in to the affected areas to address mobs to this effect. Both Congress and Communist flags were carried together on taxis in which loud-speakers were used asking the crowds to disperse. The sudden 'volte face' of the CPI, according to the Special Branch, was very noticeable, particularly as at 6 o'clock on the evening of the 22nd a mass meeting had been organised by them, to condemn the Police for opening fire. Inflammatory speeches were made at this meeting. In view of the steady deterioration of the situation up to 1 p.m. on the 23rd, and the

fact that the overworked and all too few Police had more than they could cope with, it is no exaggeration to say that the cessation of the disturbances was principally due to this concerted action on the part of Congress and the CPI and only to some extent to Police action and firing. The threat to call in the Military as whole, as issued by the Governor on the night of the 23rd, came after the whole tension had subsided and things had more or less returned to normal.

A sinister aspect of the disturbances was the suddenness with which the whole city returned to normal. It is clear that the use of Jawaharlal Nehru's name by the Congress had far more effect than the exhortations by Sarat Bose, the CPI and local Congress leaders in putting a stop to the disturbances.

V. Motive Behind the Disturbances.

The demonstrations began in support of the INA. Throughout they were of a political nature and were markedly anti-Police, anti-European and anti-Government. Although the rapidity with which the disturbances spread and the demonstrators were organised indicate some form of preparation, possibly on the part of the CPI, their very spontaneity is undoubtedly symptomatic of the general feeling amongst all but a small section of the Indian public of whatever class. The temper was highly dangerous, and the whole disturbance was worse than in 1942. The implications of this are considerable.

VI. Persons Responsible for the Disturbances.

1. The original students meeting was called by the Students Congress which is controlled by the Congress Socialist Party and the Revolutionary Socialist Party of India (old Anushilan). As noted above, Mrs Bimal Prativa Devi, an important member of the CSP, took a prominent part in advising the students to create a hartal on the morning of the 22nd. Once the clash with the Police had occurred on the 21st, students of other organisations rallied to the cause of their comrades, and the affair became a 'casus belli' for the whole student community.

2. On the 22nd Muslim students from the Islamia and Calcutta Madrasa Colleges joined in the demonstrations in Dharaumtolla, following a meeting at Wellesley Square, allegedly because one of their number was shot on the 21st. Khaksars and nondescript Muslims were also evident in fairly large numbers in the huge demonstration in Dharaumtolla on the 22nd afternoon. There is reliable secret information also that feeling was so strong amongst Muslim students that they actually approached leaders of the Muslim League to join the Congress and CPI in continuing the disturbances. A non-committal answer was given to this approach, and it is significant that only Md. Osman, Secretary of the Calcutta Muslim League, and one of the leaders of the Provincial Muslim Students League, openly spoke against Muslims joining the demonstrations. The rest of the leaders gave no specific answer and the impression was formed among Muslim students that this silence was a tacit approval. Despite the announcement in the *Star of India* of the 23rd evening, after the disturbances, the above is believed from reliable secret sources to have been the true state of affairs in the Muslim world. Numerous Muslims joined the demonstrations all over Calcutta, many of them being workers from factories or butchers and similar trouble-making elements.

3. As noted in paragraph III(2) above, the Communist-controlled Transport Unions were called out on strike in sympathy with the students. Similarly, the Lillooah Workshops were called out by their Union members. This Union is also controlled by the Communists. Processions of workers from various factories in and around Calcutta, which had come out on strike in sympathy with the students, were seen going in procession towards Wellington Square on the 22nd, led by Communist Union workers, and carrying Communist flags. The apparent organization as noted in sub-Para 4 of paragraph II indicates possibly some kind of guerilla training. Such training is

known to have been given to Communists and members of the CSP. Lastly, there is the case of the inflammatory speeches at the meeting organised by Communists on the evening of the 22nd. The above facts indicate beyond doubt that the CPI played a large part in switching the 'fight' from the student community to the general public.

4. By the evening of the 22nd the students had won their primary objective when they took their procession through Dalhousie Square, and from then on the numbers of students participating in the disturbances were considerably reduced. It is estimated that on the 23rd not more than 30 to 40 per cent of the demonstrators were of this class. On the 22nd and 23rd the hooligan elements of South and North Calcutta, particularly in the former place, took charge. These were supported by the afternoon of the 22nd by large number of Sikhs, unemployed Bengalis, and factory workers, together with the usual type of beggar-loafer. The temper of these mobs became, by the 22nd evening, extremely dangerous. The Deputy Commissioner of Police, Special Branch, says that it was dangerous for an ordinary Police constable to venture on the streets in the affected areas.

VII. Results Achieved by the Agitators.

The students achieved their primary objective when, by sheer weight of numbers, they burst through the police cordon on the afternoon of the 22nd and led their procession in defiance of orders through Dalhousie Square. This was accomplished by the student community themselves. The secondary objective, namely a complete hartal, was also attained with outstanding success, though the fight for this was taken over by the CPI and hooligan elements. The success of the hartal cannot be denied, and a review of what was accomplished presents a formidable picture:

- (a) All forms of public transport in the city and in some of its suburbs were stopped.
- (b) One important railway was put out of action temporarily, and considerable dislocation of its traffic caused for about 12 hours.
- (c) All normal private traffic, except in the very centre of Calcutta, was stopped or very considerably reduced, and the roads were rendered unsafe for all but pedestrian traffic.
- (d) Allied Military and Service administration was brought partially to standstill, as following the burning of Military lorries on the 22nd, all use of Service vehicles was forbidden except in special cases.
- (e) Troops' letters and official mails usually carried by the American and British Air Forces were held up, and Military and other passengers arriving at airports were detained there owing to the roads to and from Alipore and Dum Dum aerodromes being blocked.
- (f) The Stock Exchange was closed with resultant loss in money to firms and indirectly to Government.
- (g) Considerable hindrance to Government and private business due to staffs being unable to attend office.
- (h) Loss of money to Government by the destruction of Allied Service and Government vehicles, including fire-fighting equipment, and the burning of food stocks and destruction of fire alarms.
- (i) Injury to number (total not yet known) of European civilians.
- (j) Injury to one Deputy Commissioner of Police, one Asst. Commissioner and 52 members of the Police Force, 16 of whom are detained in hospital.

As a result of the acts of hooliganism carried out in the employment of both the primary and secondary objectives, 40 members of the public have been killed and over 200 injured by Police or Military firing.

VIII. Conclusion

Apart from the usual Press demands for non-official enquiries and retribution etc., there is a marked absence of public demonstration in the form of meetings which usually follow Police firing, even in comparatively minor incidents. This appears significant. The general consensus of opinion seems to be, in Congress, Communist and student circles, that the rapidity with which the disturbances spread and work stopped, and the thoroughness and resource of the trouble-makers, combined with what they achieved in the space of little more than 48 hours, indicate that the country has made considerable strides in the art of fighting without check areas since the disturbances of August, 1942. So far from Congress or any other political body being worried by the results of the Calcutta disturbances, all public utterances by political leaders, and conversations amongst themselves, indicate rather a spirit of elation at what they consider to be the 'bright' prosperity for when the anticipated Congress movement for the liberation of the country is started. In none of the public utterances have the students been condemned outright for refusing to obey the orders of the Police in a prohibited area. Instead, they are described as being brave in having shown fortitude in winning a 'victory', and the nearest any public speaker has got to castigating the students or others responsible for the disturbances, is to warn them that it is useless to fritter all their energies when the movement has not the support of Congress, and to exhort them to show more discipline. Thus, Congress is making political capital.

2. Seen in retrospect, the result of these three days of trouble especially as it was not sponsored by Congress, bodes ill for the future. The ordinary forces of Law and Order were very nearly over-whelmed by the magnitude of their task. There are indications that many Indians, who ordinarily do not engage in politics, and people those who have relations in the Indian Army, have been captivated by the glamour and ideals of the INA; INA slogans such as 'Azad Hind' are now being introduced for greetings between persons both in letters and in speech. It is an almost universal opinion among Indian members of the public, that the whole handling of the INA Trials, and indeed the very decision to hold public trial in India, is a mistake on the part of Government. Since propaganda concerning them has been unbridled and allowed to go unchecked by Government, the effect has been seriously to influence persons who otherwise might have kept out of politics and political trouble, and the Indian Independence Movement as a whole, and feeling against Government, have received considerable impetus as a result.

3. There is a general feeling of pessimism in European circles as to the future and this feeling is not confined to non-officials. Doubts have been expressed that the loyalty of the Indian Army, if called upon to quell disturbances as they may have to be, may have been affected by this insidious INA propaganda. This feeling of pessimism is engendered to a large extent by the opinion—shared alike by many loyal Indians and most Europeans—that HM's government and the Government of India do not know their own minds as to how they will deal with immediate future of the Indian political problem. They feel matters are just drifting for the worse.

4. There is a general desire that an unequivocal statement should be given by HM's Government as to what their real intentions are. It is felt, naturally very strongly amongst the European community, that Government should either be determined to maintain Law and Order in a firm manner until such time as they are prepared to hand the country over to Indians, or that they should decide to name a date in the near future for the handing over and clear out of the country altogether. This indecision on the part of HM's Government affects the manner in which Indian Government servants, however loyal they may be, carry out their duties. Strong action and firm decision by Government gives confidence to its servants. If once Government loses the support and loyalty of its Indian servants, it is finished. This is realised by Congress and other agitators who have already been exhorting the Police in public speeches to turn on their masters at the right

moment. Students think it 'gratifying' that Indian Police Officers and men were not prominent in quelling the disturbances, and the *Amrita Bazar Patrika* has asked why Indian Police Officers and men were conspicuous by their absence.

E
Central Intelligence Officer,
Calcutta

The 28 November 1945

18. Government of Bengal's Press Statement on Calcutta Disturbances, 29 November 1945

Govt of Bengal, Home Dept Poll Branch File No. 463/45, West Bengal State Archives, Calcutta.

With the compliments of the Director of Publicity, Bengal Writers' Buildings, Calcutta
29 November 1945.

Government Statement on Disturbances

Trouble began on the afternoon of Wednesday, November 21st, when a procession of students numbering about 500, who had held a meeting in response to the appeal of political leaders to observe November 21st as 'INA Day', was prevented by the police from entering an area which, since 1937, has been one of the areas notified under the Calcutta Police Act in which processions, demonstrations and meetings are not permitted. The processionists were halted by a police cordon and efforts to persuade them to disperse were unsuccessful. No attempt to disperse them by force was made. Traffic on several main streets was blocked and large crowds gathered. Efforts by the police to control these crowds were strongly resisted and the police were subjected to stone throwing, which at times was very severe. At one stage, fire was opened by a small police party who believed themselves to be in danger of being overwhelmed. One person was killed and several injured by this firing. Despite the efforts of several local leaders, the processionists and the crowds refused to go away and remained on the scene. There was intermittent stoning of police until daybreak of Thursday, 22nd November, when the crowd withdrew.

There was then a lull until the afternoon when once more violent attempts were made by students and others to break through the police cordon at the same place as before. There was very heavy stoning of the police, who again opened fire. Ultimately, under severe pressure of very large crowds converging from several directions, police resistance was overcome and the cordon broken. Very large crowds streamed into the prohibited area shouting slogans and stopping traffic.

Meanwhile, during the morning, all public transport services in the city had stopped. Trams, buses and taxies ceased to ply and a general strike of these services was declared. Rickshaws and private vehicles also were stopped by demonstrators and their occupants forced to abandon them. At the same time bands of rioters began to attack military (including US Army) and Government vehicles. Later in the day not less than six important highways were barricaded by rioters at many points. Vehicles approaching these barricades were heavily stoned, the drivers assaulted and dragged out and the vehicles set on fire. Burnt and burning vehicles were added to the barricades. During the same period at least one private car was destroyed by burning and many were damaged. Attacks were also made on Fire Brigade vehicles. The Fire Brigade were obstructed in their attempts to deal with burning vehicles and in one case a trailer pump party was severely stoned and the pump burnt. Three important Fire Stations were surrounded by rioters, who stoned the buildings

and for periods during the day prevented any response being made to calls of fire. Damage to and destruction of military vehicles became so serious that the Army authorities were compelled to warn the public by radio and in the press that military action would be taken to ensure the protection of military property, military vehicles and military personnel.

Despite vigorous police action, lawlessness and acts of violence continued intermittently through the night. Street barricades set up by the rioters were continuously manned and resolute efforts by the police to clear them were unsuccessful, owing to the severity of the stone throwing to which they were subjected.

During Friday morning, November 23rd, attacks on vehicles continued and arrangements were made for the military, who were already standing by, to take up dispositions in support of the police at various points in the city in the afternoon. By this time disturbances began to decrease and by nightfall they had died down.

By daylight on Saturday, 24th November, the great majority of the road barricades had disappeared and the police cleared the remainder, consisting largely of burnt out vehicles, without interference. Traffic became practically normal by mid-day. Thereafter there were only a few isolated instances of interference with vehicles and conditions rapidly improved.

Throughout the entire period of the disturbances the police opened fire on 14 occasions, including the two occasions already referred to. The military were not called upon to open fire at any time. The enquiries prescribed by Police Regulations into the circumstances of each of the firing by the police are proceeding.

The following figures indicate casualties that occurred and the extent of the damage caused by rioters to Government and Military vehicles:

Casualties

Police

Detained in hospital	16
Treated and discharged from hospital	36
Major injury	A large number (not ascertained).

Fire Brigade

Treated and discharged from hospital	30
--------------------------------------	----

Military

(a) *British Forces*

Detained in hospital	14
Treated and discharged from hospital	55

(b) *US Forces*

Killed (burnt to death)	1
Detained in hospital	5
Treated and discharged	32

Public

Killed or died in hospital up to midnight November 25/26		32
Injured	Not accurately ascertainable, Estimated to be Between	150 and 200

Vehicles Destroyed and Damaged

Police

Destroyed	1
Damaged	12

Fire Brigade

Destroyed	1
Damaged	3

Other Government vehicles

Destroyed	1
Damaged	3

Military

(a) British

Destroyed	37
Damaged	29
Missing	4

(b) US Army

Destroyed	9
Damaged	50

Outside Calcutta, the principal incidents, all of which occurred during Friday, 23rd November were the stopping of trains on the EIR by crowds of demonstrators in Howrah town and at several places along the EIR main line in Howrah District, stopping of traffic of all kinds on the roads in Howrah town, the assembly of large crowds, including workers of about 200 factories, who absented from work throughout that day, and the holding of large meetings to through afternoon. There was no violence, no clashes with the police and no casualties occurred.

19. INA Trial: Report on Demonstrations in Delhi, Punjab, Madras, Bihar, Orissa

Fortnightly Report for the First and Second half of November 1945.

GOI, Home Dept Poll File 18/11/45, NAI.

DO No. F. 114/45-C.

Chief Commissioner's Office,
Delhi
21 November 1945.

Fortnightly Report for the first half of November 1945.

My dear Porter,

This is my Fortnightly Report for the first half of November 1945.

Political. The outstanding political event—and it is now a political matter above everything else—was the commencement of the first INA trial in the Delhi Fort on November 5th. After lasting for two days the trial was postponed until November 21st as a result of an application for postponement by the defence counsel. Although the trial was given great prominence in the many political speeches delivered in Delhi recently and also in the nationalist press, there was no large scale demonstration on the occasion of the opening of the trial, largely no doubt due to Pandit Jawaharlal Nehru having forbidden anything in the nature of a demonstration in a speech

delivered in Delhi some days before the opening of the trial. The trial has recommenced today (21st) without attracting much attention. It has been difficult to differentiate between electioneering meetings and pro-INA meetings as the two have become inextricably mixed up. Of the many meetings held during the period two were addressed by Pandit Jawaharlal Nehru at which the audiences were about thirty thousand and fifty thousand respectively. His speeches were not outstandingly provocative but he maintained, apparently with considerable satisfaction, that in some parts of India British rule ceased for a fortnight or so in 1942 and he estimated that fifty thousand people were killed in the disturbances during that summer.

The Congress have also been producing relatives of the accused in the INA trial at their political meetings. The mother of one of the accused was called upon to give her *darshan* and the wife of another was made the chairman of a meeting. Some of the speeches were very objectionable, and two speakers Mir Mushtaq Ahmad and H.S. Kitchlew (who hails from the UP) are being prosecuted. There have been increasingly frequent references to the 1857 mutiny as the first phase of the struggle for Indian freedom and independence, and on several occasions it has been stated that the mutiny has been misnamed as such by British historians. Some of the speakers tried to persuade Government servants to oppose Government and assist the movement for independence, and in other ways there has been a noticeable increase in the attempt by Congress to tamper with the loyalty of Government servants. The deterioration and tone of speeches since the withdrawal of restrictions has been very noticeable, and, as was perhaps only to be expected, terrorist posters have re-appeared. A few such posters were found on the 6th November threatening death to 'twenty English Dogs' for each INA man sentenced.

Students continue to take an increasingly active part in these political events, and the Delhi Students Congress arranged two large meetings during the fortnight, at the first of which the INA trial was the main subject of the speeches and at the second the police action against students in Lahore and Lucknow which was described in the usual lucid and exaggerated way. On the day of the second meeting an almost complete hartal was observed in the educational institutions of Delhi.

Punjab

Confidential

Report on the situation in the Punjab for first half of November, 1945.

General—The main features of the political scene during the fortnight have been widespread agitation for an amnesty for the INA coupled with intense and mounting racial feeling, fulsome praise of S.C. Bose as a great patriot, and emphasis on the 'patriotic' motives of the INA; a marked increase in the glorification of treachery, treason and terrorism; vituperative attacks on the British Government by all parties as the cause of India's economic and political troubles; rising election fever accompanied by many hard knocks at rival political parties and resentment by the wealthy trading classes of the controls which restrain them from exploiting the present economic situation to their own advantage.

Agitation in support of the INA has increased ominously and political circles have started to link it deliberately with agitation against the use of Indian troops to quell the Indonesian 'freedom' movement and the new 'Quit Asia' slogan. Although rural areas are not yet visibly affected and in towns any serious clashes with the police have so far been generally and somewhat surprisingly avoided, meetings held throughout the Province during INA week provided a record both in numbers and in the fervour shown. In many towns the Diwali celebrations were not held out of sympathy with the INA and a hartal was observed, while a common feature at many meetings has been a heavily garlanded photograph of S.C. Bose in the presidential chair. The opening of the

Red Fort trial and the announcement of further trials to follow have only added to the mixed racial, political and sentimental bitterness which this whole question has aroused, and in the present mood of the people it is extremely doubtful whether the publication of evidence justifying the trials will be other than disbelieved and also deliberately exploited by the Congress leaders to increase the anti-British hatred which they so clearly desire. Meanwhile, released INA military personnel who are starting to return to the Province on their discharge from the Army, are being met and garlanded by the Congress organisation, which appears to have a better system than Government for keeping in touch with these persons and for publicizing their case, and are being provided with Congress funds, having promised to serve as whole-time Congress workers in the future. Nationalist press comment has abandoned all restraint in its glorification of Subhas Chandra Bose and its admiration of the activities and adventures of the INA, and has openly stressed the parallel between the 1857 mutiny and the trials which then followed with the INA accused facing their trial in the same Red Fort.

Madras

Strictly Confidential

Government of Madras.

Public (General) Department

DO No. P.4-21

Fort St. George
26 November 1945
J.A.T. Horne

My Dear Porter,

Home Member
Tel No. 2248 DS (1)

Fortnightly Report for the first half of November 1945.

* * * *

Foreign Affairs, etc. The main topics of general interest continue to be the struggle in Indonesia and the Civil War in China. 'South East Asia Day' was observed in a number of places and resolutions were passed by various meetings and bodies (including one by the Madras Corporation) condemning the use of Indian troops in Java and Indo-China.

Armistice Day was observed on the 11th with the usual two minutes' silence. In Madras city a short inter-denominational service was held at the War Memorial attended by detachments from the various branches of the Armed Forces and by high ranking Government officials. His Excellency the Governor addressed the gathering at the end of the service.

His Excellency the Governor's Amenities and Relief Fund now stands at a total of Rs 3,56,35,570.

* * * *

Political. The Congress Election campaign is in full swing and meetings are being held daily all over the Presidency at which speakers have been emphasising that Congress policy is based on the 'Quit India' stand. Mr Kamaraj Nadar, President of the Tamil Nad Congress Committee, conducted a tour in South Arcot, and Ramnad districts, where he addressed various meetings explaining the 'Quit India' resolution. In the Nilgiris, it is even reported that one speaker, an ex-detenu of no great importance, stated that he had been authorized by the local Congress Committee to serve a 'Quit India' notice on the Collector! In Nellore, it is stated that speakers are now making

vague reference to another and final struggle with the British Government, presumably following the dictates of the Congress High Command. In the northern districts Congressmen are taking full advantage of the cyclone victims. Mr Prakasam is especially in the forefront in this campaign, and in East Godavari, Mr Kala Venkatrao has been issuing circulars both on cyclone relief work and on enlistment of Congress members, without distinction. In Guntur a statue of Mr N.G. Ranga, who had been returned unopposed to the Central Assembly, was recently installed at Govada in Tenali taluk.

Attacks on Government officials continue to be an unfortunate feature of Congress propaganda. In Tinnevely the prosecution of Meganatha Nadar, referred to in my last report, is stated to have greatly strengthened the hands of the police in dealing with his followers and imitators. The prosecution of Muthuramalinga Thevar of the Forward Bloc for his attacks on the police has also been ordered. In Ramnad at a public meeting under the auspices of the local branch of the Indian Students' Congress, one of the speakers singled out a Police Sub Inspector by name for ill-treating the 'August Heroes'. Some newspapers have also taken up the campaign and the Government had recently to order the prosecution under Section 124-A of the Indian Penal Code of the *Bharata Devi*, a Tamil journal, which published some particularly virulent articles.

The Indian National Army came in for a good deal of attention this fortnight. But as one Collector reports, interest in the subject in this Presidency is being sustained more because men like Nehru, and local Congressmen following his lead, have thought it necessary to keep this up as a live issue for election propaganda. There is little personal interest as hardly any of the officers and men now being put up for trial appear to belong to this Province. Congressmen have been busy, however, in holding meetings all over the Presidency in support of the Indian National Army and for the collection of contributions to the INA defence funds. The more moderate among them have confined themselves to appear for clemency on political grounds; but extremists have not hesitated, as it reported at a meeting in Vellore, to acclaim them as 'patriots'. (In Rajahmundry one speaker went to the length of warning the Government that for every INA man executed a hundred 'white men' would lose their lives and exhorted the public to be prepared for a general strike to protest against trials. Hartals were observed by students of many Colleges and Schools throughout the Province and in Madura this resulted in a serious incident on 6th November 1945). A number of students stayed away from their classes and went in procession around various schools. A crowd of hooligans also joined them and the mob soon got out of hand. Traffic constables were chased and a traffic umbrella was burnt down. A police party, which arrived on the scene, was heavily stoned and they finally had to open fire. One person was killed on the spot and five others injured, of whom one died later in hospital. Other gatherings were dispersed by the use of *tear gas* but sporadic disturbances continued throughout that evening and the next morning by which time the situation was brought under control.

In view of the likelihood of similar breaches of the peace occurring, the Government have issued instructions to District Magistrates that all processions and meetings expressly for the purpose of lauding the INA should be prohibited.

* * * *

AE Parten Esq. CI to ICS Secretary to the Govt of India Home Department, New Delhi.

Fortnightly Report for the second half of November 1945.

Political. The trial of INA men is now an issue of first rate importance even in this Presidency, being sedulously kept alive by practically all political parties. Students, as may be expected, have been in the forefront of the agitation and reports of meetings and students' hartals are being received from various parts of the Presidency. Under instructions from the Government, as already

mentioned in my last report, District Magistrates have issued orders under Section 144, CrPC prohibiting meetings and processions which are held purely in honour of the INA. On the whole these orders appear to have been obeyed. In Trichinopoly, it is reported, that the students called off a procession on the advice of Kamaraj Nadar, President of the Tamil Nad Congress Committee, who recommended obedience on the ground that nothing should be done to spoil the forthcoming elections. In South Arcot, students of the Annamalai University observed a hartal on 26th November 1945, nearly 90 per cent staying away from their classes. At the Convocation of the University the next day, however, there was no trouble at all and Sir Norman Strathic, who delivered the convocation address, received a great ovation. In Guntur, the Andhra University Convocation is programmed for the 6th December and the District Magistrate reports that there is a possibility of a demonstration. In Rajahmundry there was a strike and a procession by students followed by a meeting on 12th November 1945, when one speaker is said to have asserted that in Bengal, wall posters have been put up threatening to murder 20 white men for every INA man executed by the Government. In Kistna and Salem also similar strikes are reported, but there were no untoward incidents.

Strong condemnation of the action of the police in Calcutta, Bombay and Madura was expressed at a number of meetings. In Madura College the Principal and many of the staff appear to be taking an active part in inducing the students to take part in this agitation and a meeting of the students held on the 16th was presided over by the Principal of the College and addressed by some of the lecturers. This report is under enquiry and, if it be confirmed, action will be taken against the College authorities, possibly by withholding of grants. Complaints of excesses by the Police during the Madura disturbance last fortnight, and insistent demands for an enquiry by the Government have been made by a number of newspapers and Congressmen. Enquiries are being made into certain allegations made in a letter to *The Hindu*.

Congressmen continue to make capital out of the INA agitation. In Tanjore, Kamaraj Nadar is reported to have said that the INA personnel would be effective in driving the British from India and combating any violent action by the Government. In Vizagapatnam, Dr Pattabhi Sitaramiah, who was touring the District in connection with election propaganda, at a meeting held on 20th November 1945 paraded 13 INA men who were passing through on their way to their homes in Malabar. Except for the actual introduction, he did not specifically refer to the INA trial, evidently in view of the prohibitive orders in force. In this connection, I would like to point out that number of released INA personnel have been arriving in this Presidency without any previous intimation being received either by the Government or by the Provincial CID from the Commandants of the Camps. A separate reference has already been made to the Government of India on this subject.

Bihar

Confidential

Government of Bihar
Political Department
(Special Section)
Patna, the 20 November 1945.

Report on the events in Bihar during the first half of November 1945.

1. Political. Public attention during the past fortnight has been mainly focused on the trial of the INA officers in Delhi. This trial has been given the greatest publicity by all sections of the Press and their sympathy is undoubtedly with the accused. (The intensive and one-sided propaganda in favour of the accused has had its effect on the general public and it is clear from reports of Commissioners that, quite apart from Congress-minded people, the general public are also on

their side). One District Officer notes that the appearance of Pandit Jawaharlal Nehru in a Barrister's robes at this trial has aroused a good deal of comment and the conclusion drawn is that he is making a determined effort to secure the support for the Congress not only of ex-personnel of the INA who are released, but also of a large section of the Indian Army. Public meetings have been held to sympathise with the accused under trial and subscriptions towards their defence are being raised. The action alleged to have been taken against students in Lahore and Lucknow received its share of publicity and condemnation. On the 13th of November students collected in the grounds of the Patna University and decided to have a strike on the following day by way of protest. Instructions were issued by Government that there should be no interference unless there was actual picketing at the gates of the institutions. It proved unnecessary to use force, but it appears that the students of the educational institutions in the neighbourhood of the Patna University, including a Muhammadan institution, took part in the strike though schools in Patna City apparently did not. On the afternoon of the 14th November there was a meeting attended by about 1,600 students at which most inflammatory speeches were made and resolutions were passed demanding the immediate and unconditional release of the INA members and threatening the authorities if the incidents at Lahore and Lucknow are repeated.

Orissa

Confidential

Government of Orissa
Home Department, Special Section
No. 3372-C
Cuttack, the 4th December 1945

The Orissa Fortnightly Report for the Second Half of November 1945

General. The trial of the INA officers at Delhi together with the disturbance at Calcutta and elsewhere have given the newspapers the opportunity for which they had been waiting, and like newspapers elsewhere they were not slow to use it for the purpose of heaping abuse and hatred on the administration in general and on the British in particular. The two newspapers of the Marwari businessman, Mr Madanlal Jajodia, have been conspicuous for their wild emotionalism and their call for revolutionary methods to turn the British out of India. (Although there have been meetings and processions to condemn the trial of INA officers and to greet former members of the INA who have returned to Orissa, the outbursts in the press and on the platform have not so far affected the maintenance of public order, but open and unchecked incitement to revolt and violence has not failed to cause much uneasiness. As long as these conditions prevail it will become increasingly difficult for the officers of Government, particularly the subordinate officers of Government, to carry on the administration in the normal way, and there can be no doubt that the purpose of most of the Congress leaders is to bring the administration to a stop by creating conditions, which will in turn be used to justify a coup d'état or violent assumption of power by the revolutionary Congress party on the ground, which was urged in 1942, that the established Government has broken down and ceased to function).

This line of thought is encouraged by the press and by the speeches of Congress leaders like Pandit Jawaharlal Nehru and Sardar Vallabhbhai Patel and finds expression in the speeches of the smaller men. The whole weight of Congress propaganda is directed to show that in this part of Asia the only alternative to a Congress Government is no Government at all, that the choice lies between disorder and capitulation to their demands. At a recent meeting Mr Hare Krishna Mahtab, the Provincial Congress leader, appealed to the people to get ready for the next rebellion which was imminent, and which would be on a far greater scale than that of 1942. One district officer

observes that Government have to face the fact that the nationalist movement in India is no longer bound, even in theory, by Mr Gandhi's creed of non-violence. That phase of political activity has passed, and we are now in the phase of armed revolution and force without mental reservations of any kind. We have, of course, been in this phase for some years.

(At a meeting held at Cuttack on the 24th November to protest against the trial of INA officers Mr Nabakrushna Choudhury said:

'Mr Gandhi had been trying to secure the emancipation of India from inside the country whereas Mr Subhas Chandra Bose with his INA had been trying it from outside. People had no right to criticize the policy of Mr Bose for taking recourse to violence for the emancipation of the country. The history of the world would show that no freedom battle was won without violence. Mr Gandhi had, however, found non-violence as the best weapon for unarmed Indians. There were two ways shown to the Indians for the achievement of freedom, one by armed fighting and the other by non-violence policy as advocated by Mr Gandhi. Mr Jawaharlal Nehru has already said that the Indians had full right to resort to violence or non-violence, if independence can be achieved.'

Mr Choudhury went on to suggest that armed revolution is not possible without arms and ammunition, and therefore the Programme will be to organise the masses for another revolution like that of 1942).

At a previous meeting at Balasore speakers urged the people to be ready for an early rebellion and said that just as violence had been necessary in the French and Russian revolution it would not be possible to liberate India without the use of bullets and machine guns.

This campaign has been accompanied by well designed efforts in the press and on the platform to vilify the conduct of the military forces, the police and the civil service and to undermine public confidence in them and in the integrity of British policy. A speaker at Balasore described the officers who took part in suppressing the 1942 rebellion as 'hired goondas', and another declared that it was wrong to suppose that the letters 'ICS' stood for the Indian Civil Service: they really stood for the 'Indian Criminal Society'. The district officer drawn attention to the complete break with the ideals of non-violence which recent speeches disclose.

A. Political

2. The trial of INA officers. The principal demonstrations were made at Cuttack and Balasore, and there were smaller demonstrations at Sambalpur, Berhampur and elsewhere. At the celebration of the INA day and the birth day of Pandit Jawaharlal Nehru on the 14th November at Balasore, the achievements of Subhas Chandra Bose and the INA were glorified, and speakers threatened that if any of the INA men were punished or Nehru arrested, there would be a revolution in which the people would not hesitate to use armed force against the British. Here, as in other parts of the province, funds are being collected for the defence of the INA officers. The disturbances at Calcutta between the 21st and the 24th November aroused students in many parts of the province, and in most towns they stayed away from schools and colleges, took out processions, held meetings of protest and on the 24th November persuaded shopkeepers to stop all business. The largest procession and meeting was organised at Cuttack. At Balasore and Berhampur, Congress made ostentatious arrangements to welcome a party of released INA men and organised a procession and a public meeting to do them honour. In the Sambalpur and Puri districts there were smaller meetings organised for the same purpose. Congress leaders announced that there are 5,000 Oriyas in the INA and they are now searching for proof.



20. Political Propaganda Regarding the INA: Defence Headquarters to Counteract

GOI, Defence Headquarters, File No. 427/INA and 428/INA, NAI.

1. The letter Document 16th October 1945 from G. Solones, Lieut. General, GOC-in-Chief, Central Command to the Chief Staff CSI(b) General Headquarters Army Post Office, New Delhi.
2. The letter from R.B. Deedes, Lieut. General, Adjutant General in India to the HQ, Central Command Document 24th Oct. 1945.
3. Confidential circular letter No. 147571/PS-10 Document 3.11.1945 from Adjutant General to all Commanding Officers.
4. Official note by Arthur Smith dt. 6 Nov. to R.B. Deedes, Adjutant General in India.
5. Letter No. 5698/12/GBI(b) HQ Eastern Command Document. 8.11.45 from Arthur Smith, GOC-in-Chief Eastern Command to the Chief of General Staff.

Enclosure Copy of report from MIO Calcutta regarding observance of 'Azad Hind Fauj Day' on 5 November 1945.

No. 1 Secret, Central Command 150015.20GSI(b)

16 October 1945

To the Chief of the General Staff, GSI(b), General Headquarters Army Post Office, New Delhi.

Subject: Political Propaganda on behalf of the INA—Its possible effect on the morale of the Indian Army unless counter measures are taken

1. It has become increasingly apparent that political parties, in particular Congress, are bent on making political propaganda out of the INA issue. Their ultimate object may go deeper than this and be to sow seeds of doubts and fear of the future in the minds of serving soldiers to such an extent that in time of grave emergency their loyalty may be seriously affected.

2. The following examples show the line being taken:

- (a) according to information received in confidence from the CIO is said to have stated privately that he had every intention of employing ex-INA as instructor in the Congress Volunteer Corps. The Intelligence Bureau, Home Department, CA also agree that their employment in subversive para military bodies such as Azad Senas might be possible.
- (b) in a speech at Allahabad on 4th August to the Executive Council of the Students Congress said:

'For the final overthrow of the British power some violence will be required and this can be done best with the help of the military. The military soldiers fear to participate in any political movement for fear of death. They are immediately court-martialled and shot dead. But if they find that a mass revolution has taken place and the British power is on the verge of being overthrown then their will go away and they shall readily participate in the movement. Then only in the latter part of a movement the military force can be utilized.'

- (c) Azad's statement in the *National Call* on 21st August 45 which says that the harsh treatment of INA would create an issue in India and demanded to know Government's attitude towards them.

3. On the other side, a Government announcement to the Press on 29th Aug. 45 suggested a policy of leniency to all INA except leaders and those directly concerned with atrocities.

4. On the civil side there is evidence of anxiety amongst District officials. They regard the propaganda on behalf of the INA as dangerous and inquire what measure are being taken in a counter direction.

5. There is no evidence to show that any appreciable impression had yet been made on the rank and file of the Indian Army, in fact reports to date show that INA personnel are looked upon as traitors by the Army as a whole. The serving soldier cannot be isolated from public opinion indefinitely, and its views will gradually be absorbed by him, so that unless adequate steps are taken to counter propaganda it seems unlikely that the present satisfactory situation in the Army can last for long, especially as the sequence of events up to date has given the impression in some quarters that the Government's hand have been forced.

6. I would request that measures may be taken as early as possible to introduce propaganda to counter the present uncontrolled Congress statements. I consider this is necessary in order to reassure the serving soldier that he is still on the right side and will be supported by those he serves. Without this propaganda, it is not beyond the bounds of possibility that his loyalty and staunchness to the British Government may be seriously affected.

G. Solones
Lieut General
GOC-in-Chief

Ro. 147553/PS10
Adjutant General's Branch
General Headquarters (India)
New Delhi, 24 October 1945

To

HQ Central Command
Agra

Reference your No. 150015/2-GSI(b) dated 16 October 1945.

1. This matter has for some time been receiving serious consideration at this HQ.

2. The main difficulty is that we have to tread very warily lest an accusation be made that in the coming trials the defence has been prejudiced. It is quite possible that the Congress statements which are at present being made have, as one of their objects, the hope that we shall be goaded into replying so that this accusation can be made.

3. For this reason no official statements can be made. Propaganda is difficult since it can only be inserted in the rest through the medium of 'reliable' journalists, and it may be dangerous. Spontaneous statements to the press by recovered loyal may also lead to the accusation referred to in para 2.

4. On the whole, though the disadvantages of this course are fully realised, it is probably best to let Congress statements pass unchallenged until the trials begin when the truth about the INA will come out, though, even then, it may be distorted, at least in certain sections in the popular press. Propaganda will, however, be used as and when suitable opportunities present themselves.

Lt Genl
Adjutant General in India

Confidential

No. 147571/PS-10
General Headquarters (India)
Adjutant General's Branch, PS10
Simla, the 3rd November 1945

To

Commanding Officers
All Indian Army Units

Political Propaganda on behalf of the INA—Possibility of Countermeasures.

1. All Commanding Officers will have realised that certain of the major political parties in India are bent on making political capital out of the INA issue and especially the forthcoming trials by court-martial of some of the worst offenders.

Reports from many sources indicate that the wide publicity given in the Nationalist Press on these matters is causing no little concern amongst all ranks of the Indian Army, both British and Indian, because no steps have so far been taken by these Headquarters or the Government of India to counter this malicious and false propaganda.

On the other hand, there is no evidence to show that any appreciable impression has been made on the rank and file other than one of resentment that the public are not given the true facts of the case.

2. This question of counter propaganda has been given the most careful consideration; also the desirability of reassuring the serving soldier and especially those recovered Prisoners of War (POW) who remained loyal to their oath; but for the reasons given below it has been decided that any form of counter-measures would, for the present at any rate, be ill advised.

3. The chief difficulty lies in the fact that any official statement refuting those appearing daily in the press might lay the Government of India open to the accusation that the accused in the forthcoming trials were thereby being prejudiced. It is felt that this must be avoided at all costs despite the advantages that would otherwise result.

The possibility, and not an unlikely one, must also not be overlooked that the Nationalist Press are publishing propaganda articles in their newspapers in the hope that we shall be goaded into replying, thereby enabling them to make use of this accusation. This is, in fact, borne out by recent statements to this effect regarding references to the INA in a speech made by HE the Governor when addressing a Durbar at Almora.

4. It might be agreed that whilst official statements cannot be published, effective measures might be taken through the medium of sympathetic and reliable journalists but in this course, too, there is a definite element of risk which might prove dangerous.

5. Another possible solution is the publication of spontaneous statements in the Press or over the air of recovered loyal PsW. It was for this reason that all Regtl. Centres/Depots were recently addressed with a view to securing the names of ICOs who had valuable anti-INA stories to tell. For the reasons outlined above, however it has now been decided that it would be unwise to make use of these statements at present.

(This Headquarters Letter No. 147571/PS10 dated 16th October 1945 to Regtl-Centre/Depots should, therefore, be considered as cancelled).

6. Whilst the disadvantages of allowing all this political propaganda to remain unchallenged are fully realised, it must, however, be appreciated that the first INA trial is due to commence in Delhi on November 5th and at this trial the full truth about the INA will be brought to light by the prosecution. Full publicity of the proceedings will be given in the Press and in all Service Journals,

and it is felt that once the true facts are brought home to the public, all the loyal ranks of the Indian Army will be reassured.

7. Commanding Officers are requested to explain informally to their officers and men, by any means considered suitable by them, the reasons outlined above and it is hoped that this will go some way towards allaying doubts and restoring confidence.

R.B. Deedes, Lt Genl
Adjutant General in India

Secret

No. 5698/12/GBI(b)
Headqrs. Eastern Command
C/o No. 12 Adv. Base PO
8 November 1945.

To

The Chief of the General Staff
General Headquarters, India
New Delhi, GHO APO

Subject: Political Propaganda on Behalf of the INA

1. You are aware of the virulence and extent of the press campaign being waged in Bengal in favour of the INA, and I submit herewith one specimen for your information. (I have already sent a copy D/O to the Adjutant General). As you will see, the matter contained in this paper is plain sedition and open incitement to insurrection and mutiny.

This campaign is having the influence that might be expected on the local populace, and the attached report on the observance of 'Azad Hindi Fauj Day' in Calcutta shows how the popular mind is being inflamed.

Reference GHQ letter No. 147571/IA-10, dated 3 November 1945.

The necessity for avoiding any action which might be deemed to prejudice the accused in the trial now taking place, or in those to follow, is fully realised. I submit however that a similar restraint should be observed by the Nationalist Press, and that if it cannot be persuaded to refrain from unfair comment on matters which are 'sub-judice', steps should be taken to restrain the editors and publishers of those journals which are most flagrant in their efforts to corrupt public opinion, and to defeat the ends of justice. To gag oneself and leave one's opponent free to spread poison abroad is an attitude—however altruistic it may be—which is not understood in India.

3. I realize that the decision not to take any counter measures is only 'for the present', but I submit that the adjournment of the first trial until 21 November necessitates a re-examination of the argument for postponement of any counter-propaganda. The interim period will probably be used by the Nationalist Press to intensify its campaign, and no reports of the proceedings will be available for giving the true facts until the trial is resumed. I feel that to allow this situation to continue for a fortnight is an unjustifiable risk, and puts an unfair strain on the loyalty of the Indian Army.

4. I note that it is hoped COs will be able to 'allay doubts and restore confidence' but they are tied and have no ammunition (for I understand COs may not even read to their men extracts of the trial from the reliable press). Nor do I think the reason they are to give for official silence will carry much weight.

5. Further, I note that 'It is felt that ... all the loyal ranks of the INA will be reassured', but what of the disloyal and the waverers? (I have just had an unconfirmed report of three Indian officers in

the command who are definitely pro-INA). These men may well have only read the Nationalist Press, where reports of the proceedings of the trials are likely to be ignored, and true facts distorted. I cannot think that relying on 'the Press and Service Journals' is adequate; News in Service Journals will arrive too late.

6. Whether or not silence by the Government of India is wise or not, is not for me to say. But I have had an interview with HE the Governor of Bengal who is seriously perturbed by the political situation and is considering what action should be taken.

7. Assuming that the policy of the Government of India is (as it well may be) for them NOT to issue any statement to counter the seditious efforts of the Nationalist Press, I consider this policy needs adjusting as far as the Indian Army is concerned. I therefore recommend that COs be given forthwith some ammunition with which to follow up the information they are required to give under para 7 of the above quoted by HQ letter. At least they should be allowed to quote from the Press suitable extracts from the reports of the trial.

8. I, however, after further consideration in the light of altered circumstances the policy of silence within the Indian Army is confirmed 'for the present', I would like to be assured that all arrangements have already been made to take action immediately the silence ban is removed.

In this connection the following has no doubt been considered:

- (a) Broadcasting (of facts)
- (b) Organising touring teams of recovered loyal POW-ICOs, VCOs and IORs. Statements made by released prisoners passing through Calcutta convince me that we could do better than to leave it to them to give the true facts to their comrades. Statements in the Press and broadcasts by such individuals would not be as effective as personal contacts. Although the majority of recovered loyal POWs are now enjoying a well-earned period of leave, I am certain that sufficient volunteers could readily be obtained.
- (c) The psychological warfare organisation, which has already had great experience of anti-INA propaganda.

9. Finally in concerting these counter measures, I would suggest that the different circumstances of different provinces should be taken into account. Bengal, for instance, is particularly susceptible to pro-INA propaganda, and, moreover, contains a great potential danger spot in the shape of Jhingergacha Camp. As far as I can see things are moving rapidly in this province and time for action is getting short.

I should like to endorse the opinion given by the GOC-in-C, Central Command, in his letter 150015/2 GSI(b) dated 16 Oct.

10. As this matter is of first importance to the Adjutant General, I am sending a copy of this letter to him.

Arthur Smith
Lieut General
GOC-in-Chief, Eastern Command

Enclosure to Letter No. 4

Copy of report from MIO Calcutta, regarding observance of 'Azad Hind Fauj Day'

1. Fifth November has been observed as an 'Azad Hind Fauj Day' in Calcutta and other places.

Processions were taken out and meetings were held at different localities of Calcutta city. Demonstrations were held at which Calcutta students took an important part. Political slogans were shouted everywhere, at the meetings, buses and tramcars, and enthusiasm and excitement were observed.

‘Kali Puja’ and ‘Diwali’ holiday coincided with the Observance Day, and made the ‘Azad Hind Fauj Day’ more conspicuous.

The Political slogans were heard at the Immersion Processings and for the first time in the history of Calcutta Tri-colour flags were observed flying on the Images of Goddess Kali when taken out for immersions.

Even at funerals the political slogans were shouted such as ‘Azad Hind Fauj Zindabad’.

2. The meeting held at Sarddananda Park was the most remarkable of the meetings which were held yesterday.

This meeting was arranged by the Provincial Congress Committee and was held at Sarddananda Park on the evening of 5.11.45, in observance of the ‘Azad Hind Fauj Day’.

Syed Nausher Ali the ex-speaker of the Bengal Legislative Assembly presided over the meeting and was the only speaker. He made his speech first in English and then explained the extract in Bengali.

It was the biggest meeting held for many years. About one lakh people, according to an eye observer, mustered at the meeting. Besides there were thousands outside the park on the pavements adjoining the streets. Many accommodated on the trees as well as the parapets of a building now in the course of construction in the vicinity of the park.

3. Great excitement prevailed at the meeting. Of and on there were tremendous shouts from the crowd, of ‘Jai Hind’, ‘Subhas Ki Jai’, ‘Lal Killa Tor Do’ (Break the Red Fort), ‘Azad Hind Fauj Chor Do’ (Release the Azad Hind Army) etc.

Feelings of admiration for Subhas Chandra Bose and the Azad Hind Fauj, was noticeable among the crowds, irrespective of caste and creed. Small sized printed leaflets containing the slogan ‘Release the Azad Hind Fauj’ and small size photographs of Subhas Chandra Bose were strewn overhead.

A full sized portrait of Subhas Bose was placed on the dais and almost all the prominent Congress leaders were present at the meeting. Tri-colour flags were displayed at the meeting and the meeting was opened with the singing of the war song of ‘Azad Hind Fauj’.

4. The speaker in the course of his speech explained the history of the Azad Hind Fauj. He justified the cause of Azad Hind Fauj in fighting against the British and demanded the unconditional Release of the INA men. He called them patriots and men of non-communal character.

5. Mr Amiyanath Bose (nephew of Subhas Chandra Bose), secretary of the INA Relief Fund Committee, appealed to the public for contributions towards INA fund.

6. Writing of an intimidating nature on the walls in the past few days have been reported by the agents. These writings refer to reprisals against the British in connection with the trials of the INA men.

21. Government of India’s Policy Towards Indian National Army

Press Communiqué issued by Public Relations Directorate, General Headquarters, New Delhi, 30 November 1945

GOI, Home Poll (I) File No. 21/13/45 Part I and Part II on policy towards Indian National Army

Press Communiqué

New Delhi, 30 November. Since there is clearly much misconception regarding the policy that has been adopted towards the officers and men of the Indian Army who joined the so-called INA, it will be useful to summarise the intentions of Government and the various communiqués which

have appeared. It will be appreciated that fresh evidence comes to light almost daily, and it is therefore not possible to give more information than when the communiqué of 27th August was issued.

Of the 60,000 men of the Indian Army who were taken prisoner, some 40,000 stood firm to their oath of allegiance, resisting throughout the period of their captivity the propaganda to which they were subjected and in some cases also facing starvation and torture, thus setting an example of soldierly qualities and steadfastness in endurance worthy of the highest praise. There were, however, 20,000 who joined the INA. Of these rather more than 5,000 have yet to reach India while less than 1,000 are still untraced. Of the 14,000 in India, some 2,500 have been exonerated of having intended at any time to aid the enemy and will rejoin their units in the same way as other prisoners of war.

Of the remaining 11,500 some 6,000 are men who are believed to have joined the INA because they were persuaded either by enemy propaganda or by threats or torture that it was in their best interest to do so. In dealing with these men, the Government of India took into account the conditions in which they found themselves, at a time when it appeared that the enemy's arms were successful on all fronts, and when they had no access to any news, except enemy propaganda. In spite of the serious nature of their offence, which in ordinary circumstances is punishable by death under the laws of all countries, the Government of India decided from the beginning to treat these men with clemency and generosity, and this was announced on August 27th. Throughout the time that they were in arms against the forces of the Allies, their families continued to be in receipt of their family allotments as though no change had taken place in their status as ordinary prisoners of war of the Japanese; and these allotments are not to be forfeited. They will also be given pay from the date of their recovery from enemy hands and 42 days leave with pay in order to enable them to settle down in their villages or to find employment. They are being released as fast as Court of Enquiry can settle their cases.

There remain some 5,500. Of these, the examination of some 1,700 is still in an early stage, while 3,800 are believed to have gone over to the enemy with the clear intention of helping the Japanese in an invasion of India; which would, if successful, have led to her subjugation by the Japanese. Many of them were captured with arms in their hands against their fellow countrymen, whose lives they were endeavouring to take. Nevertheless, it is believed that although they were fully aware of what they were doing, a large number (though by no means all) were genuinely misled and had no realisation of the bloodshed and misery that would have resulted to their fellow countrymen from a Japanese conquest of India. The Government of India therefore decided from the beginning to extend clemency to the great majority of this category also. Such men will be dismissed from the army and will forfeit their pay, but their families will keep the allotments paid in full while they were supposed to be prisoners of war and no further action will be taken against them.

There is evidence, however, that of these men a small number have committed acts of gross brutality, resulting in some cases in death, upon their fellow countrymen who were prisoners of war or members of the INA. Crimes of this nature are abhorrent to all civilized peoples, and it would be wrong for Government to refrain from bringing to trial men against whom there is *prime facie* evidence that they have committed such offences. Trial by court martial of such persons, and of no others, will therefore take place, and Government are confident that public opinion will support them in this decision.

In reviewing any sentences which may be passed by Courts Martial, whether in the present or any future trials, the competent authorities will have regard to the extent to which the acts proved offend against the canons of civilized behaviour.

In order to relieve the anxiety of the men and their relatives and friends, decisions not to bring to trial will be intimated as soon as they are reached and the men concerned will be given facilities to communicate with their relations. The names of persons whom it is intended to bring to trial will be published as soon as the decisions are reached.

The Government of India wish to take this opportunity of pointing out that they have refrained from publishing in advance the allegations made against the accused because such allegations might have prejudiced the accused in their defence. All possible steps have been and will continue to be taken to afford every facility to the defence and to ensure a fair trial. They would also point out that in no case is the finding of a court of justice a foregone conclusion. They would therefore urge persons of all shades of opinion to refrain from forming conclusions until the facts of each case have been brought in evidence in the course of the trial, and until the court has reached its findings.

Until all investigations are complete, it is not possible to state the number who will be brought to trial, but the total is unlikely to be as many as fifty and may be as few as twenty; and, as explained above, trials will be limited to those against whom brutality is alleged.

22. East Should be Free from Western Domination

Sarat Bose's statement on the Calcutta Disturbances¹.

Tribune, 6 December 1945.

Calcutta 4 December. I do not think, there are reasons to be perturbed at the Calcutta disturbances. The threat that General MacArthur might take direct military action leaves me cold and as far as the general public of India are concerned, is bound to misfire. I was glad to learn that General MacArthur was known to be strongly opposed to any form of violence in the Far East, and I only hope he will show it in practice. World peace was upset first by the West and, as far as the East is concerned, Japan only followed in the wake of the West. If the people of the West would only read few chapters of Capt. Liddell Hart's *This Expanding War*, it will help them to view the outbreak of hostilities in the Far east from the proper perspective.

The reports of the Calcutta disturbances that were cabled to America were partly untrue and partly misleading and must have been sent by sensation-mongers, who were out to create racial animosity between America and India. I cannot help saying that they were playing the British Imperialist game. The most effective answer to the above-mentioned reports was furnished to me by a British Military Officer.

There was no intention on the part of anyone in Calcutta, except a few hooligans and goondas, of hurting American military personnel or injuring American property. The Calcutta police knew, or at any rate ought to have known the names and addresses of those hooligans and goondas: and if all of them have not been apprehended by now, it is entirely the fault of the Calcutta police. I was told on Friday last when I was leaving Government House after my interview with the Governor, Mr Casey—and that by a British correspondent of a British newspaper—that eight persons had been apprehended and arrested in an act of setting fire to American lorries at one place, of whom two were well known goondas. No precautionary measures, strong or otherwise, are needed for the protection of Americans and Britishers or of American and British property in Calcutta. Calcutta is quite normal now, and I am glad that the Governor Mr Casey accepted the advice I gave him through his Secretary Mr Trevson at about 2.30 p.m. on Thursday last week (22nd November) that police forces should be withdrawn from the disturbed areas. That by itself went a long way to ease the situation.

We are quite familiar with the oft-repeated British argument that Indians cannot be trusted to keep internal peace in their own country. The peace of the country has not been disturbed by Indians. It has been disturbed because of the British imperialist policy of divide and rule—the policy which was openly proclaimed by a well known Governor of Bombay several decades ago and has been relentlessly pursued since the time of Lord Minto, the successor of Lord Curzon to the Viceroyalty of India.

To suggest that MacArthur should or might take direct military action in India amounts to a confession that British authorities are helpless.

I agree that Far Easterners are all alike. I desire only to add that they should be all alike and also that Near Easterners should ally themselves to Far Easterners and make all Easterners, Near and Far, all alike. We people of East are alike, or at any rate, should all be alike. We are not interested in making trouble; but we are determined to fight—and fight with clean hands—until the whole East is free from Western domination. United Press.

¹ Sarat Chandra Bose's observations when interviewed by the press regarding a message emanating from Boston that the United States was perturbed at the Calcutta disturbances, and that General MacArthur might take direct military action if these continued.

23. Inauguration of INA Week in Calcutta, 8 December 1945

Speeches by Jawaharlal Nehru and Sardar Vallabhbhai Patel.

Report in *Amrita Bazar Patrika*, 10 December 1945.

Biggest Gathering Calcutta has Ever Seen Inauguration of INA Week in Calcutta

The inauguration of the INA week at a public rally at Deshapriya Park on Saturday evening (8 December 1945) addressed by Sardar Vallabhbhai Patel and Jawaharlal Nehru and presided over by Sri Sarat Chandra Bose drew the biggest gathering Calcutta has even seen. Sardarji himself told at the meeting that it was the biggest gathering he had ever seen.

It seemed as if Calcutta had given over the whole of its population for the rally. But the spacious Park and its vicinity was too small an area to accommodate the unending stream of humanity which converged towards it. It is difficult to give an estimate of the people who gathered. The whole of the park and its adjoining streets were packed to the utmost limit. The houses surrounding the park bore to their fullest capacity human loads on the balconies and roofs, many perching dangerously. It would be no exaggeration to say that about 2 lakhs of people were stationary in the park and its vicinity while about an equal number must have turned away disappointed unable to get a glimpse at the park or to have a chance of hearing a syllable of what might be uttered there. Rash Behari Avenue and the nearby streets seemed like eddies with streams of humanity turning and returning.

The organisers of the meeting under the leadership of young Amiya Bose worked hard days ahead to make the meeting as orderly as possible. But in the present mood and temper of the people of Calcutta and its suburbs there is no place in Calcutta, unless it be in the maidan, where it would be possible to accommodate the gathering that is bound to congregate to hear the popular leaders and maintain perfect order. The only alternative seems to be to hold several meetings at a time so as to disperse the crowds to different places.

From noon people from all parts of the city and suburbs began to flow towards South Calcutta, the venue of the rally. As time passed the volume of crowd thickened. Tram cars bound for South

Calcutta plied crowded in unimaginable proportion. It had to be seen only to believe it. After every inch inside the cars had been occupied and foot boards been crowded to every possible limit, people sat on the windows, crowded the drivers enclosure, hung on the precarious foothold in front of cars, obscuring the driver's view and perched on roofs from end to end, unmindful of possible accidents which might happen from electric shock. From 4 O'Clock till late in the evening crowds literally took possession of tram cars.

After the meeting was over the condition became worse. People returning from the meeting diverted cars to parts of the city they liked and under the pressure of crowds several cars were damaged. Even private cars which passed along Russa Road and Ashutosh Mookerjee Road were stopped and people crowded in upon them, some times in dozens and more. The whole city rang with cries of 'Jai Hind' of people going and returning from the meeting.

More than 2,000 volunteers were in attendance, but such was the pressure of people towards the venue that it was very difficult to keep the crowds in check and cordons were broken at places injuring some volunteers and people who were sitting. One hundred twenty three cases of accidents, the majority of them fainting through suffocation, of them 11 were females, were attended to by the newly formed Indian National Ambulance Corps. Six of these had to be sent to hospital.

When Pandit Nehru came many people jumped over the railings of the park, collided with one another and hurt themselves and others who were seated. Microphones installed to cover areas expected to be occupied were insufficient to reach the furthest areas where people actually gathered and this gave rise to some confusion, people trying to get nearer when there was no place to accommodate them.

On account of the huge gathering giving rise to noise and accidents the proceedings had to be shortened, both Sardar Patel and Pandit Nehru cutting short their speeches, the former speaking for about 20 minutes and the latter for 13 minutes. S. J. Bose only confined his remarks to thanking the people who congregated and volunteers and workers who strove their hardest to maintain order.

On the north-east corner of the Park a beautiful rostrum 11 ft. high surmounted by a huge bust portrait of Netaji Subhas Chandra Bose, 16 ft, 12 ft. was set up from which the leaders addressed the gathering. On either side of the rostrum were life size statutes of two unknown INA soldiers and in front of the rostrum was installed an elevated vase from which incense was burning and a number of INA men were seated in the place of honour in front of the rostrum.

To the playing of band, leaders mounted the rostrum just at 6 p.m. Sri Sarat Chandra Bose was the first to appear. He stood to attention and gave military salute. So also did Pandit Nehru. Sardar Patel saluted the gathering with folded hands. Among others who were on the rostrum were Mr Nagindas Master, ex-Mayor of Bombay, Miss Mani Ben Patel and Sri Surendra Mohan Ghosh, President of the BPCC. Cries of 'Jai Hind', 'Netajiki Jai' and other slogans rent the air as the leaders came on to the rostrum.

After singing of the INA Song 'Kadam Kadam Barhaye Jah' S. J. Bose on behalf of the INA Relief Committee asked Sardar Patel to unveil the portrait of Netaji which was done in the midst of deafening cries of 'Netajiki Jai'. Pandit Nehru then took the salute of the INA men assembled. They then saluted the national leaders who were now assembled in Calcutta.

After Sardar Patel and Pandit Nehru had addressed the gathering, S. J. Bose concluded the proceedings after thanking those who had contributed to make the day's function successful.

Pandit Nehru's Speech

'I am a little ashamed that it has taken me such a long time to come to Bengal since my release from prison. The cry of Bengal reached us in Ahmednagore Fort, and Bengal was ever present in

our mind there and since our release. The day I came out of the prison I thought of Bengal and wanted to come here, but events had been too powerful for me and had kept me away. At that time I thought of all the occurrences in 1942 onwards and also of the great famine. And now recently we have had another and a very significant happening in Calcutta city.

The terrible suffering of Bengal has pained us and there has been tragedy associated with this province. But there has also been and specially recently a feeling of elation at the spirit of the people and specially of the young. Calcutta recently afforded a very remarkable spectacle of revolutionary significance. It grieves me that young men lost their lives but I rejoice at the fervour and courage that they showed at a time of crisis. It is during these times of crises that people are judged, and it may be said that the people of Calcutta rose to the occasion during this crisis.

It may be that wrong acts were committed in 1942 or afterwards or in recent days but in judging of a mighty occurrence one must look at the spirit of the people, at the motive behind them, and the courage that they showed. There is no doubt that there is life in Bengal and in India today. There is an amazing enthusiasm in the youth of India. That shows that we are a living vibrant nation intent on freedom and resolved to achieve it whatever the cost. That shows also that we are bound to achieve it.

But enthusiasm, is not enough. Even self-sacrifice is not enough. We must have discipline and organised effort at the right time. Otherwise, our young men must learn this great lesson of curbing and directing their enthusiasm in right channels and at the right time.

India is facing critical days in her history and vital decisions will be taken in the coming year or two. Those decisions will depend ultimately on our unity and discipline and strength behind us. Sporadic violence will not pay. It will fritter our energies. If we have to adopt the way of violence it is for the nation to do it deliberately and not casually. For today there are new and mighty weapons of violence in the possession of a State which cannot be met except by an organised State. When India is free she will have to decide this to check, to have to follow the organised peaceful methods which the Congress has so far followed and which has brought so much success and strength to us.

The Azad Hind Fauj fought bravely for the freedom of India and large numbers of them died in that struggle. We honour them for their fight for freedom and for their sacrifice. Yet the main lesson that they teach us is not only of love of country and of freedom but chiefly of discipline and organisation and above all, of the unity they built up among themselves. The communal problem that troubles us so much in India was solved by them in their ranks and Hindus and Muslims and Sikhs were all Indians forgetting their separate selves, and struggling together for a common cause. We honour them for this specially and we honour their great leader, Subhas Chandra Bose. Even when we differed from him in the past we knew and respected him as a great fighter for Indian freedom. In these recent years he showed himself a great organiser and above all, a welder of different communities in India into a common unity. The facts that have come out in the recent trial showed that consistently he resisted Japanese encroachment on the freedom of the Provisional Government that he had established and the Azad Hind Fauj. This Government and this Army were no puppets of the Japanese but were moved by a single aim to achieve Indian freedom. Repeatedly they declared that they would not serve the purposes of the Japanese imperialism. The situation was a difficult one and required careful handling. Subhas Chandra Bose and his colleagues proved themselves in those circumstances able leaders in moments of great crisis and difficulty. Therefore, we have to learn these lessons from the Azad Hind Fauj—to build up our unity, to organise ourselves and to discipline ourselves.

In the days ahead, we shall have many crisis to face. But if we have this unity and discipline and common objective we surely shall survive them.

I have so much to say to the people of Bengal for so much has happened in these three and half years since I was here last. I hope to have that opportunity and specially I want to meet personally our younger and vital groups on whom the burden of tomorrow will fall. Yesterday is with us and we cannot forget it. To-day consumes our energies but it is ultimately of tomorrow that we must think and prepare for, the tomorrow which has a promise of freedom with it.'

Sardar Vallabhbhai Patel said that the arrangement for the meeting was excellent and probably would enable all to hear him. Crowd was so vast that even house-tops were fully occupied. He requested them to listen to him quietly, and added that he had never seen such a huge crowd.

Proceeding Sardar Patel said that he was struck by their enthusiasm. He continued: 'So much has happened in the world, in India and in Bengal that it will almost be the repetition of a big volume of history to recount the tales of the last three years. I painfully recall the trouble that Bengal underwent. But then I am happy that you have withstood this onslaught of tyranny. That picture can never be complete unless you recall these eventful happenings. We have moved forward considerably and we can now feel that our sacrifices are enabling us to approach the goal of independence.'

Sardar Patel then re-called at length the sacrifices of Netaji Subhas Chandra Bose. He said that the architect of the Azad Hind Fauj was Netaji. There was no question of any division on communal basis in that organisation. The unity that Azad Hind Fauj had showed them should serve as an example. If this unity was possible in India they would have been free a long time ago.

Non-violence Not Cowardice

'The Congress', Sardar Patel continued, 'is committed to the creed of non-violence. How were they then to reconcile with that code of violence of the Azad Hind Fauj? There should be no misunderstanding on this issue. There is a feeling in the country that due to non-violence there was so much of cowardice in the country. Non-violence does not connote cowardice. The men of Bardoli can be worshipped and not the cowards. Netaji may be a traitor in the eyes of some but he is a patriot to us. The training that Netaji had given to the men is the result of one long effort that he made for the freedom of the country. We worship his bravery, we worship his sacrifice, we worship his courage.'

Sardar Patel then proceeded, 'We however claim that the best weapon to gain independence of India is non-violence which is in the hand of the Congress. It is the strength of non-violence which has brought us where we are today. It is the instrument which Mahatma Gandhi has evaluated. Violence, whether sporadic or organised will not be useful to us. It will not assist us either.'

Turning to men of the Azad Hind Fauj, Sardar Patel said: 'For you there is always a place in the Congress. We admire your courage and respect your sacrifice, but violence you will have to discard. Thus the non-violent Congress army will be built up.'

'This is however not the time of violence in any form, Sardar Patel said. The enthusiasm that the Calcutta students showed is commendable. Their courage is praise-worthy. We cannot but regret the loss of so many lives. The strength thus dissipated is certainly not helpful to the greater cause of the country. Our strength should not be misused, misdirected and misspent. This loss of life does nobody any good.'

'There is before us also the threat that disturbance in any form will not be tolerated. We know that, and we have often heard similar sermonizing. Let me then also tell them many, let me give them a notice that no foreign power can stay in India in any shape and form. We stand by 'Quit India' and until that is accomplished neither India nor Asia nor the world will be a quiet place. They are fools who think that war is over. The war is not yet over and cannot be over until India is free. I repeat that there cannot be peace until Asia is quitted by all foreigners. We also do not

want disturbance or trouble but for God's sake do fulfil what you say. Too many promises have been made and too many times they have been broken. We have lost faith in what they say.'

Sardar Patel added: 'Under any circumstances we must not be led away from our accepted creed of non-violence. If we do so it will neither benefit us nor the Congress. Such happening as the Calcutta firing will not lead us anywhere.'

'A struggle is inevitable and we must conserve every ounce of our energy for that.'

Sardar Patel concluded with an appeal for a united effort in the country during the forthcoming elections. This they were bound to do for the sake of the country, he added.

Chapter 11. Defence and Judgment in the INA Trial

1. Address for Defence by Bhulabhai Desai, 18 December 1945

Bhulabhai Desai, *INA Defence*, (published by INA Defence Committee), New Delhi, 1946.

Defence Address by Sri Bhulabhai J. Desai

During the last many days you have heard evidence on the two charges with which my clients, the accused before you, have been arranged. Shortly stated, the two charges are waging war against the King and, without detailing anything, murder and abetment of murder, in that certain deserters were tried and ordered to be shot. My submission to the Court is that substantially there is really one charge before the Court, because in so far as the charge of murder is concerned it is a part of the first charge; and I say so far this reason that it would be quite possible, in the case of a charge of waging war against the King, to be able to charge every single act of firing a shot, which would be, I think, *reductio ad absurdum*; and therefore it will be my duty later on to point out to the Court that really and truly there is only one charge before the Court and that is waging war against the King. Evidence has been admitted on other matters to which I do not wish at this stage to refer for the moment so that I can occupy the time of the Court for the purpose of considering what facts have been established in support of the first charge, namely waging war against the King; and in due course it will also be my duty to point out to the Court that in so far as the second charge is concerned, there is no foundation in fact for it except to this extent that in reference to the four persons who are alleged to have been shot there is on record evidence that they were tried and sentence passed. In reference to Muhammed Hussain, there is nothing on record to show that any sentence was passed. In all these cases it will be my duty to submit that on the evidence the Court is bound to come to the conclusion that though sentence was passed in one case and not at all passed in the other, none of these sentences was actually carried out. That is the nature of the examination on facts which will be necessary for me to place before this Honourable Court.

There are one or two matters which I am bound to mention to the Court before I come to the actual facts of the case. This case raises issues which are not of the normal type which a Court Martial is called upto to decide, because most, if not all, of such cases are generally cases of individual dereliction of duty or individual offences. Here is a case in which, I venture to say—and the evidence supports it—that it is not at all a case of what you might call three individuals waging war against the King. The evidence amply bears a part of an organised army which waged war against the King even according to the Prosecution. Therefore, the case before the Court is not a personal case of any kind or sort. The honour and the law of the Indian National Army are on trial before this Court. What is now on trial before the Court is the right to wage war with immunity on

the part of a subject race for their liberation. I shall be able to cite authorities on International Law that a nation or part of a nation does reach a stage where it is entitled to wage war for its liberation, and I shall be able to prove that point to your Honours' satisfaction.

There is another thing I wish to say, and I say it with a certain degree of earnestness. This case has naturally aroused a considerable amount of public interest. It is not for me to say whether it is right or not but the fact remains that it is so, and opinions have been expressed from the point of view of the public and from the point of view of what I might call 'official sources' beginning with the Viceroy of India. You, Sirs, having sworn to do justice to these men on the evidence before you will, I have not the smallest doubt, come to your own decision guided by your conscience and entirely unaffected by opinions for or against them. For in all trials of this kind—and in a few of them I have had the honour to be engaged—it is very difficult for the human mind to maintain that detachment which justice requires. In the case of Juries I have had to caution them against the use or abuse of the effect of public expression of opinions on matter which it is for them to decide. In this case what I wish to say is this. Having studied the rules which guide the proceeding before this Court I found that you, Sirs, are the judges both of law and of fact. I am aware that the Judge Advocate who is your adviser, will take care to do justice to everything that myself or my learned friend on the other side will place before you on questions of law and fact and while you will very seriously regard his advice in the end, the final decision is your privilege and your responsibility. Therefore what I might have done in another place I do not do before you and that is, I cannot say that I will address the Judge on law and the Jury on the facts. There it is an easier process because I must confess that before a trained Judge it is easier to deal with the question of law than before a tribunal of this character. At the same time I have this consolation that sometimes if the law is plain—as I submit it is in this case, it will probably be much easier appealing to commences, to establish the law on which I rely, and I desire to ask your indulgence and your attention in the somewhat difficult task which I am undertaking.

My next submission to the Court is that I desire, as far as possible, to state categorically the conclusions of fact which are established in this case. Having done that I will proceed to deal with the law applicable to them. In dealing with any single item, should any doubt arise in the Court's mind, I trust that you will be pleased to tell me, so that, if it is necessary, I will go into the details of evidence, because as at present advised, I do not desire, unless there is a real doubt about it, to weary you with reading over 250 pages of evidence and about 150 pages of exhibits, which are before the Court. A few important ones I will certainly read where necessary. Having regard to the attention which the Court has paid to the evidence as it was recorded, I will avoid reading them in extenso.

With these remarks I now proceed to place before the Court what I submit are the conclusions of fact justified by evidence. Before I do that, I will give you a few important events. In the month of December 1941, war was declared by Japan against Britain and America. Then followed certain events which are the subject-matter of controversy to a certain extent before this Court. The next event of importance is the surrender of the British Indian forces at Singapore, which took place on 15th February, and then the most important material event took place on 17th February at Farrer Park.

The next event of importance after that the Court will have to bear in mind, is the formation of what I shall shortly describe as the first Indian National Army in the month of September 1942. The next important event is the dissolution of that Army in the month December 1942 and the arrest of Capt. Mohan Singh. The next important events thereafter are the efforts which were being made for the formation of the second Indian National Army. On 2nd July 1943, Sri Subhas Chandra Bose arrived in Singapore. He later took command of the Indian National Army and

there was a conference of what is called Greater East Asia attended by Indians, with delegates belonging to the Indian Independence League from different parts of the Far Eastern countries. One of the resolutions at that Conference was that a Provisional Government of Free India should be established. The next event of importance is that on the 21st October 1943 there was proclaimed a Provisional Government of Free India which for brevity I will call 'Provisional Government'. That Proclamation is one to which I shall refer later, but now I will try to give the Court events of importance which the Court will have to bear in mind. On the proclamation of that Government the different Ministers concerned with the functions of the State took Oaths of Allegiance, of course headed by Netaji Subhas Chandra Bose as the head of the State. The next event of importance is the declaration of war by that Government on Britain and America. The next event of importance thereafter is that so far as the INA was concerned, it began to carry out its functions under the orders of the new State. Thereafter the events of importance so far as the actual facts are concerned, are only three: the movement of this Government from Singapore to Rangoon; the movement of the Indian National Army from Burma into, beyond and within the territories of India right up to Kohima; and the rest, dealing with the retreat of that Army back again until the event which took place at Rangoon slightly before, at the time, and slightly after the occupation of Burma by the British Forces. These, Sirs, are the main undisputed events with which the Court is concerned. Bearing in mind these events, I shall now place before the Court the conclusions of facts which we submit have been established either in cross-examination of the evidence of the prosecution or in the affirmative evidence which we have called in defence.

The first conclusion of fact which we ask this Court to accept is that the Provisional Government of Free India was formally established and proclaimed. I submit, Sirs, there can be no doubt about this event and no cross-examination of witnesses who have been called to prove that event, as far as I can see, has been seriously attempted. You have to remember, Sirs, the picture of the proclamation of that Government and Exhibits put in on that point. Before I proceed any further, I wish to call attention to that proclamation. It is Exhibit FFFF before this Court. I do not wish the whole of that document; the only passages which I wish to read are passages which bear on the issue before the Court.

(Reads paragraph 2 of Exhibit FFFF)

Then I do not need to read the next paragraph.

(Reads the next paragraph beginning with words 'Thus on the event of the present world war' and ending with the words 'total mobilisation'.)

I stop here to submit to the Court that evidence has been adduced as to the number of Indians in East Asia and the figure mentioned here is more or less what is borne out before the Court.

(Reads rest of the paragraph up to the word 'existence'.)

I will read the last but one paragraph.

(Reads last but one paragraph of Exhibit FFFF beginning with the words 'It will be the task of the Provisional Government' and ending with the word 'freedom'.)

Then follows the signature of the members of the Government. The reason why I called attention to this document is the purpose for which the Provisional Government was formed, and the means by which that Provisional Government intended to carry out its purpose. The fact that it failed to achieve its purpose is entirely irrelevant to the issue before this Court. That is the first fact which we say has been established. The second fact which we say has been established is that it was an organised Government. It does not require many words to establish that proposition. Witnesses have spoken before the Court as to the allocation of duties which appear at the end of the document which I have just read to the Court, and it is also in evidence before the Court that the Indian Independence League became the executive of the Provisional Government which

organised, so far as it was possible to do in those warlike conditions, the care of the people who owed allegiance to it. In the month of June 1944, as the evidence is quite clear—it is also in the Exhibit—in Malaya alone, 2,30,000 persons actually took written Oaths of Allegiance to the Government. That was in June 1944, and it is in evidence that thereafter the process continued. The object of stating the figures is that it was not a case of a Government of what you may call, or what somebody being my opponent may facetiously call, a set of rebels, a desultory sort of crowd of no consequence. I wish to give a lie to that kind of suggestion, and that is the reason why I suggest that the Provisional Government was an organised Government of whom the whole of the two million odd people allegiance, and out of whom 2,30,000 persons actually took the Oath of Allegiance in Malaya.

Then, Sir, the next fact which I submit is established before the Court is that this Government was recognised by the Axis powers. I use that expression briefly because it is quite unnecessary either in law or in fact to prove that the recognition must be by a particular number of Governments or by a particular class of Governments. The recognition is proof and more than proof that it had the right to declare war for the purpose for which it intended to fight, and having the right to declare war in so far as its armies were concerned they became subject to the International laws of war.

On the question of recognition, I wish to call attention to certain cross-examination by my learned friend. Of course in so far as recognition by Germany or Italy was concerned there could be no cross-examination and none was attempted. But with reference to certain East Asia matters in those days, a suggestion was made that those Governments were under the control of Japan. I, for my part, with very great respect, fail to understand the significance of the suggestion. Supposing Japan had an Empire, that is to say succeeded in keeping the territories it conquered without giving them liberty, the recognition would be none the less executive because it makes no difference whether and which Government recognised this particular Government of Free India. The point still remains, and I assert that the recognition is but a proof of what I may call a statehood which gives it the capacity of declaring and making war for the liberation of its own countrymen. The material point therefore is whether it had attained that degree of statehood which gave it that power. Once you have a State which can and is entitled to declare war, the war itself is its own justification. There is no question that any two independent States have a right to declare war. Any act done in the prosecution of that war is justified by the mere fact of the war itself. Barring this, it may be asked why trials are going on in parts of Asia and elsewhere, and in Germany. In fact they themselves emphasize the truth of the correctness of the proposition that any act done in due prosecution of war cannot be the subject of any municipal court by way of examination. What has happened is that in addition to the due prosecution of war according to civilized laws, individuals have been guilty of acts outside the pale of civilized warfare, which we popularly call now war crimes. But the very fact that you can only deal with and do deal with war crimes, emphatically and clearly proves that in so far as the normal civilized conduct of war is concerned including the use of an atomic bomb, is outside the pale of examination by way of right or wrong by any municipal tribunal.

Then Sirs, the next fact which I submit is established is that this State had an army which was properly organised having its own distinctive badges and emblems, functioning under regularly appointed officers. I am obliged to the Prosecution in this matter for I was spared the necessity of having to prove this proposition. They put in document after document to show that the Indian National Army was properly organised. First, that it was regulated by an Indian National Army Act. The only point as far as I could see from the cross-examination which was made with reference to certain items of corporal punishment. On that it is necessary to point out to the Court that for

the moment those who pursue that course forget the course of legislation in British India itself. It is true that Lieut. Nag told the Court that apart from the Indian Army Act certain provisions relating to corporal punishment were incorporated in the Indian National Army Act. It was probably forgotten that a little while before, in the Indian Army Act were incorporated provisions in Section 45 of that Act, headed 'Corporal Punishment.' I am reading from Section 45 of the Indian Army Act of 1911.

'Where any person subject to this Act, and under the rank of warrant officer:

- (a) on active service, is guilty of any offence; or
 - (b) at any time is guilty of the offence specified in clause (d) of Section 31; or
 - (c) at any time is guilty of a civil offence which would be punishable with whipping under the law of British India, and is triable by court-martial under this Act,
- it shall be lawful for a court-martial to award for that offence corporal punishment not exceeding thirty lashes.

It is true that about the time of this war this particular provision was omitted. But it is a mistake to think that a similar provision in the Indian Statute Law did not exist. As a matter of fact, in so far as the Defence of India Act and certain ordinances are concerned, the provision was definitely made, making corporal punishment as part of the punishment applicable to the personnel of the Indian Army. Ordinance 37 of 1943 practically replaced the provisions of the Indian Army Act which were not found in it; a certain amount of effort was made as if under an Act governing a civilized army corporal punishment was not permissible as against the provisions which were to be found in the Indian National Army Act. I am quite certain that it was done under misapprehension.

The Military Operation Areas Special Powers Ordinance, Part II, Sections 22 and 23 read:

'Section 22: Whoever commits an offence punishable under Section 121-A, 122, 125 or 131 of the Indian Penal Code (XLV of 1860) may, in lieu of any punishment to which he is liable under the said code, be punished with death.'

'Section 23: Whoever contravenes any of the provisions of Rule 36 of the Defence of India Rules or is deemed under the provision, may, in lieu of any punishment to which he is liable under the said Rules, be punished with death, or with whipping in addition to any punishment to which he is liable under the said Rules.'

I will be able if necessary to read out all the Rules which clearly show that under the Indian Law, taken as a whole, the punishment with reference to whipping exists, such as the provision which was made in the Indian Army Act. I have got, Sirs, a summary made out of the provisions with reference to whipping which I shall afterwards hand over to the Court. Shortly stated, my submission to the Court is this that the only attack made by the Advocate-General on the making and framing of the Indian National Army Act, was the provision with reference to whipping, and I submit to the Court that was done under a misapprehension, for it is as much a part, though not technically quite in the Indian Army Act but in the Defence of India Rules and Ordinance. It makes no difference but taking the aggregate, Indian legislation does sanction corporal punishment throughout the period with which we are concerned and therefore it is that I say and submit to the Court that this was a properly organised army, having a code of its own, which for all practical purposes is the Indian Army Act and any condemnation of the rules under which that army functioned is a condemnation of the Indian Army Act itself, which I submit is not the purpose of the Prosecution in this case. Therefore we come back, Sirs, to this point that this was an organised army functioning under a civilized code. As regards the appointment of officers and the regular method by which it was done, as regards the different branches and the functions, you, Sirs, are

more competent than myself to judge from the documents which have been placed before you. They are in the shape of army orders or orders of the day and so on, which have been placed before the Court. On a question of fact we have arrived so far that there was a state which declared war for the purpose of fighting for the liberation of the country and it had an organised army, organised under a code which for all practical, substantial purposes, accorded with the aggregate law on the same subject prevailing in British India. I use the word aggregate, because I must bring in the other laws also which provided for and permitted the infliction of corporal punishment in all the cases.

The next fact which is established beyond all dispute was that the object of the declaration of war by the Provisional Government of Free India was the liberation of India.

The next important fact which I think must be mentioned is that the Indian National Army was formed with two purposes. The main purpose was securing the liberation of India and no doubt, Sirs, from the most important witness that the prosecution called, it has never been difficult to establish that was the object with which that Army was formed and that was the object with which the individuals who joined it. The other object also was which was somewhat subordinate, but useful purpose, the protection such as could be afforded to the Indian inhabitants of Burma and Malaya, particularly during the days, when law and order in those parts of the country was poorly looked after, the lives and the honour and the property of the people was not quite so easily protected.

The first object is the one which the army was called upon to fulfil as a part of its duties. Again taking the evidence as a whole, I submit it has been amply proved before this Court that the INA was formed with the object of fighting for the liberation of India and also with the object of protecting the lives, honour and property of people residing in East Asia at that time.

The next point which is established, I submit, is this—though I speak with less confidence because I do not see it admitted—but the fact has been proved and it is my duty to examine the evidence on it, is that the Japanese Government or the Nippon Government as it is called, ceded to the new Indian State the islands of Nicobar and Andamans, that the Indian State acquired territory in the form of Ziawadi, which was about fifty square miles in area, and that it administered for a period of four to six months the Manipur and Vishnupur areas.

As regards the first, in so far as Lieut. Nag was concerned, he has given definite evidence that the two islands were ceded. The evidence falls under three parts: the first is a declaration to that effect by the Japanese Government, announced by a document which has been proved before this Court. That document is a statement by General Tojo that they were about to concede the islands of adamans and Nicobar to the Free Indian Government. That document is UUUU. (Counsel reads relevant portions of the document): This was on the 5th November 1943.

Then followed events which clearly showed that purpose was carried out. You have in evidence that declaration was made and that the new Indian State was called upon to administer it by means of a Commissioner, that a Commissioner was in fact appointed, that the Commissioner in fact went, and you have evidence of a definite ceremony at which the naval and military authorities then in charge handed over the islands to the Commissioner on behalf of the Indian State at Port Blair. These are points on which, as far as I am able to see the evidence, very little criticism has been made by way of Cross-examination.

The point on which there has been a difference between the Prosecution and ourselves is the actual form and extent of the administration of the islands. But it is clearly a misconception to confuse the ceding of a territory and taking over every item of administration of the territory, particularly under the condition then prevailing. The fact is—and it is commonsense I submit—that a house might well be sold and completely sold, sold outright and yet possession for a time

may not be wholly given. It is a familiar illustration I am giving, so that it is easy to appreciate. In the somewhat elaborate Cross-examination for this purpose of Col Loganadhan, it was intended merely to point out that the whole of the administration was not taken over—which is not denied—he said it over and over again; and I think it is established and I ask the Court to hold it is established that he went for the purpose of taking over the administration. It is true that he did not take over more than two items—one, education and the fact that the area was small and the people ignorant is hardly an argument that he had not taken over the administration. I dare say in other countries where the standard of literacy is something like 99 per cent, there are many more schools than in this unfortunate country where the standard of literacy is probably 15 per cent. Therefore the argument that schools were few and the expenditure was so little I think there is very little point in the Cross-examination on this matter. I did enter a protest but it was overruled and it is not for me to say anything more about it. But you do not detract from the cession of a territory in quantity or time by pointing out that the whole of the administration was not and could not be taken over. Colonel Loganadhan told the Court again and again—almost painfully over again—of the fact that until he got complete control of the police in the matter of spies (which seemed to be a sore point with the local inhabitants), he was not prepared to take over any other part of the administration. But there is one significant thing that my learned friend got out of Colonel Loganadhan, and that is that one of the officers who went with him, administered what you may call very elementary justice which it was possible to do in the conditions then prevailing in the islands. So much so that having asked and got it, he tried to shake it off but he could not, and it was proved to the hilt that Justice and Education were taken over. True, police was not taken over because the Japanese from the point of view of defence were keen on retaining control over what you may call spy population of these islands. But one thing remains and that is the most significant fact, and that is the renaming of the islands. So that any amount of examination as to why or how month by month or day by day further acts of administration were not made, cannot possibly get rid of three important facts: first, the clear solemn declaration that the islands would be handed over shortly. A suggestion was made—it remained at a suggestion only—that they would be handed over after the war. Where my friend got the words ‘after the war’ I do not know. I hope he will point it out and that is why I read out this document. The document clearly shows that they were to be very shortly handed over.

The second fact was that it was to be administrated through a Commissioner, which was a definite proposition made at that time. A Commissioner was in fact nominated by the Provisional Government and the Commissioner in fact reached there and began to function. No doubt, as in every case of this kind, I presume this Court will take almost judicial notice of the fact as to how Germany and other countries are being administered today. No doubt the man was qualified, and he may book the best educated men from amongst his staff, and he hoped that the local machinery would soon adapt itself for the purpose of continuing the administration, because it is unthinkable that you can transfer quickly and at one-stroke the whole administrative machinery from one country to another. Anybody who is familiar with the administration of this very country, is aware that Britain administers this country through practically the entire machinery of the Indian people themselves. So that the number of men and all the rest of it, I submit, is so much, without any disrespect, hot air. The real point is, were or were not the islands ceded? And I say there is so much evidence that they were.

The last point is the re-naming of the islands: Shahid and Swaraj.

I submit that it is clearly established on the evidence before this Court that though by reason of the exigencies of the situation, it may not have been possible to take over the complete

administration, in law and in fact the islands were given over to the Indian State, or to what I would call the Provisional Government.

Next I deal with the question of Ziawadi. The position is this, in accordance to the evidence on the record: that this was a property, about 50 sq. miles in area, with 15,000 inhabitants who were Indians. It had on it a sugar factory and various other means of production, agricultural or otherwise and every branch of administration of that territory was carried out by men appointed by the Indian National Army and belonging to the Azad Hind Dal.

My learned friend did not venture, in the course of Cross-examination, to challenge the truth of the statements made before this court by witness Shiv Singh and Arshad on this head. Shiv Singh said that every branch of administration was taken over. He gave the name of the person who was the officer in charge of every branch of administration, Revenue, Police, PWD, Justice both civil and criminal. Under these circumstances, the legal position is simple. I shall come to it in greater detail afterwards. Japan conquered Burma. By right of conquest it was in a position to dispose as it liked of the whole or any portion of any territory and as the witness told you clearly, by reason of the agreement between the Provisional Government and the Nippon Government, this territory was handed over as part of the liberated territory to the INA and the Azad Hind Dal. At this stage let me point out to the Court that the Azad Hind Dal, it has been proved, was an organization of men trained for the purpose of administering areas as soon as they came under the control or occupation of the INA or as soon as they were handed over to them. I must also remind the Court that it has been proved beyond question—because as far as I see there was no Cross-examination or effective any way, that as soon as the INA crossed the borders of Burma into India a proclamation was issued in two parts, one signed by the Head of the Indian State and the other signed by General Kawabe under the orders of the South Eastern Command. In that it was distinctly stated that any part of the Indian territory which would be acquired by conquest or otherwise by the Japanese Army would be handed over to the INA for the purpose of forming part of the liberated territory and to be administered by them. That is the history of the ceding.

Then we come to Manipur and Vishnupur areas. Evidence has been given before the Court without any reasonable demur to the effect that during the time the Japanese and the INA were operating, those portions of India were in fact administered by the INA through its organisation, the Azad Hind Dal, and the area was 15,000 square miles. The duration of administration has no bearing on this issue, for indeed it can happen, as it did happen in this war, that territories were as easily acquired as lost. This Court is no concerned Court to hold that the two islands, Andamans and Nicobar, were in fact ceded, that Ziawadi became a part of liberated Indian territory, and that though for a short period of time, Manipur and Vishnupur areas were exactly in the same position.

The next point to which I wish to refer is the resources of the State. In order to judge the existence of the State, the resources of the State is also one of the matters to be considered. It has been proved before the Court that some 20 crores of rupees were in fact donated to the State, out of which was maintained the civil government and the army. Dina Nath, who impressed this Court, gave extremely clear evidence on this head. He was one of the Directors of the Azad Hind Bank and he told the Court that between Burma and Malaya, during that short period of time, the State had resources to the tune of 20 crores of rupees, in addition to the produce of Ziawadi. It is a remarkable thing to notice that on the reoccupation of Burma and Malaya every single document which was in the possession of this Indian State was found intact. It was amazing. See the monthly reports which the Prosecution was able to produce with reference to the administration of the Andamans and Nicobar! It only emphasizes—and I wish to make a point of this—that there was a complete organisation, and that organisation was as good as could reasonably be expected. That alone accounts for half the documents which my learned friend was able to produce.

The point is that we were a little handicapped owing to the lack of certain documents. As the evidence before the Court shows, this Bank was closed after the occupation of Rangoon, and in fact it is in evidence that some 35 lakhs worth of property was sequestered. I am not complaining of the sequestration. That I think was the right of the conquerors. What I am saying is that in so far as the resources of the State were concerned, they were full and adequate for the purposes which the new State had then in view.

Here I wish to refer to a bulletin. It is not what I might call technical evidence before the Court but it will be my duty to submit that it is a document of which the Court should take judicial notice. The document is dated the 10th November 1945 and called Stamp Collecting.

Sir N.P. Engineer: My learned friend is quoting from a document which has not been accepted.

Sri Desai: I am only making a submission to the Court. Is it my friend's contention that if I had a book on law, it should be put in as an exhibit?

Judge Advocate: The document itself cannot be admitted at this stage.

Sri Desai: All I am doing now is to make a submission to the Court.

Section 57 says:

'The Court shall take judicial notice of the following facts:

'In all these cases and also in all matters of published history, literature, science or art the Court may resort for help to appropriate books or documents of reference.'

And if the Learned Advocate-General solemnly suggests that every single book of history, literature, science, and art is to be an exhibit before it can be referred to, I am very sorry that it is a statement which defeats itself.

Judge Advocate: Mr Desai, will you read out what you want the Court to take judicial notice of?

Sri Desai: May I not apply that the Court may consider it? All I am asking is that this application be considered. Of course the Court may reject it; I am not suggesting that the Court is bound to accept it. My submission is that under Section 57 it may be taken judicial notice of.

I was referring to an issue of November 10, 1945, of a weekly publication called *Stamp Collecting* published in London and edited by Douglas Armstrong, a well-known philatelist. In that issue at page 136, column I, the following appears:

'Imphal Stamp that failed.

'So confident were the Japs that they would occupy Imphal, when they invaded Southern Assam that they actually prepared a special issue of stamps for use there. Needless to say these stamps failed to materialize, but our correspondent, Flying Officer T.A. Broomhead, informs us that he has seen proof impressions in the hands of the man who was responsible for the printing (in Rangoon). Two denominations appear to have been prepared, viz., 3 pice plum and 1 anna red, both in the same design and roughly perforated 11-1/2 X 9-1/2 (approx.) The subject of the vignette (illustrated) is the old Moghul Fortress at Old Delhi accompanied by the slogan 'On to Delhi'. Bi-lingual inscription reads 'Provisional Government of Free India'. When it became evident that the Imphal stamps would not be required, the discs were destroyed and bulk supply of sheets printed in readiness was burnt with the exception of a small quantity salvaged by the printer.'

At the top corner on the left-hand side is a facsimile of the stamp referred to in the above quotation.

It is submitted that this document should be taken judicial notice of in support inter alia of proof that the Provisional Government of Free India had got prepared, issued or were about to issue postal stamps of that character. As appears from the above quotation, the dies were prepared under the direction of the Japanese.

Counsel for the Prosecution: I Submit ...

Judge Advocate: Would it not be more convenient to deal with this point in your arguments, and so shall I. There is no point, when the document is read, whether the Court accepts it or not.

Sri Desai: I frankly submit to the Court that it is not a matter of such an importance, but as the document was brought to my notice I thought it was my duty to put it before the court. Nobody should question books of history, science, literature, and art. It is a very accepted magazine in England dealing with this subject, edited by a very well-known man indeed.

Then, Sir, it appears from the evidence that this Indian State had a Civil, and what I may call, an Army Gazette of its own. That is also established before this Court.

On these facts, Sir, the first question of law which I wish to raise is this: Having regard to the condition in which this Free Government of India had been formed and was functioning, it was entitled to make war and it did make war for the purpose of liberating this country. That is the first and the main issue before the Court. This Court is trying civil offences under the Indian Penal Code, and there are two ways of looking at this question. One is when two States declare a war—and I may among for among for the purpose of this argument, because I can do more than place evidence before this Court for acceptance, that the condition in which the new India State found itself, it was in a position to declare war—and having declared war, in so far as any acts in the prosecution of that war are concerned, they are outside the pale of municipal law. I will tell you, Sir, what I mean because I will elaborate this sufficiently to make myself understood by the Court. Supposing a German during the prosecution of the war had shot two or three to the Britishers in England and was found in England, the question is, could he be charged with having committed murder. I submit never, for the simple reason that those acts were done during the due prosecution of the war which, unfortunately, in the present world of infirmities the International Law accepts. That is to say, what International Law accepts is that two independent countries or two States, as they are called, may make war on each other, and those who carry out any action in due prosecution of the war (apart from war criminals) is outside the pale of municipal law. Alternatively, if that is not sufficient for this Court (though I submit it should be in view of what I am going to read to you from accepted authorities in International Law) under Section 79 of the Indian Penal Code the acts done in due prosecution of the war were not offences. Section 79 of the Indian Penal Code reads thus.

‘Nothing is an offence which is done by any person who is justified by law....’ And my submission to the Court is that under the term ‘law’ is covered ‘International Law’, and for that reason in so far as that German—continuing the example which I was giving—who was arrested in England was concerned, his defence would be: ‘My country, my State, was at war with your State. Under the orders of my State, and in due prosecution of the war, I did the acts which under ordinary normal circumstances might be offences, but which having regard to the circumstances are no offences at all.’

Sir, it is unthinkable that any member of any organised army could be charged with an offence merely because he fought one or ten or a million men belonging to an army of the State with which he is at war. It is perfectly obvious to anybody that during the prosecution of the war, the municipal law relating to that country does not apply, except, I quite agree, when one soldier steals the pocket-book of another soldier. That I appreciate. But the question which he has got to bear in mind is the very important distinction: Was that act done in due prosecution of the war which one State declared upon another?

Once you get to that state, it is perfectly obvious that municipal law must and is bound to remain in abeyance. It is impossible to arraign any individual for carrying out as a matter of duty acts which might otherwise be offences—killing a man every day, destroying property every day. In fact it is a very part of the war itself. Therefore the agreement is twofold. The alternatives are either that any act done in due prosecution of war is outside the pale of municipal law—that is why I pointed out to you in the commencement that the charge against these young men before

you is not as if they had committed an act of private murder by reason of some private quarrel. The documents accepted by the prosecution clearly bears out that whatever they did, they did as part of the prosecution of war. Remember that always, because without that, the law cannot be appreciated with reference to the facts in issue.

But there is another way of looking at it, if you must. That is whether the exception provided by Section 79 is not equally applicable to the case. My submission to the Court is that whether you accept the one or the other makes no difference to the decision that I am asking for as to the immunity from those acts being offences at all; because the very language of Section 79 is: 'Nothing is an offence which is justified by Law'. The Section assumes that in private life it might otherwise have been offence. If you, gentlemen, in the due prosecution of war committed murders, could the civil laws as propounded by the other side be put into action against you, when in all honour you acted in prosecution of your duties as member of an organised army of a State that had declared war? It stands to reason and it must—that any act done by a member of an organised army fighting under the orders of one State against another State between which war exists, is an act entirely outside municipal law. But assuming for the purpose of argument, the Court requires some nearer justification. In the eye of the Court, in so far as the administration by this Court is concerned, it is fortunate that I am able to find the exception in the Indian Penal Code itself, because these young men are being charged either under Section 121 or Section 79 of the same Code which says in terms that it is not an offence. Supposing war declared between two States and when peace time returned every individual soldier is called upon to say whether he killed so and so. I am quite sure that as I am addressing men of commonsense, you would laugh at the idea. But then I quite agree that I would have to satisfy you that the new Indian State that declared war was entitled to do it in the sense of International Law.

And now I will proceed to quote from books of international law on the question of right to make war. I am reading to you Vol. II of Dick Corbett's *Cases on International Law* under the heading of 'War', 1937 Edition.

'International war is a contest carried on by an armed force either between States or between a State and some community or body which is treated as a State for the purpose of the conduct of hostilities. International war differs from other kinds of war in that it has the effect of setting up a new relation in law both as between the belligerents themselves and as between each of them and the other States. As between the belligerents, the state of war although it departs from normal relations, is nevertheless a state of regulated violence in which the conduct of hostilities is governed by certain principles and rules which rest part on custom and part on convention, and which are sanctioned in the last resort by the action of international society however uncertain may be their operation'.

I next call attention to Wheaton's International Law, am reading *Wheaton's Law*, 1945 edition, Vol. II, page 98.

'War in the absence of any international authority competent to suppress effectively international wrongs has always been held legal by international law.'

Remember that as a definite proposition that so long as there are two States if they declare war against each other, there is no justification required for it. And once you have a war, any person being a member of an organised army or one of the warring States, cannot be called upon individually to account for the acts, which in civil matters or normal times if done individually in a private capacity for private motive, be considered to be an offence.

'War in the absence of any international authority competent to suppress effectively international wrongs has always been held legal by international law Even the creation of the League of

Nations leaves war in certain cases legal, though there is now on record the unanimous Assembly condemnation of aggressive war. War is essentially a struggle between States, involving the application of force. Mere armed occupation, as in the seizure of Strassburg by Louis XIV in 1680–81 or as in that of Corfu by Italy in 1923, is not war unless the State affected declares it so, and similarly, as regards pacific blockade. The States and Montenegro warred on Turkey, though vassal States; in 1877, Rumania followed suit. In 1885, Bulgaria warred on Serbia, then fully sovereign, and in the treaty of peace of March 3, 1886, though Turkey as suzerain took part, Bulgaria appeared independently as a party. So the South African warred on the United Kingdom in 1899....'

So, the first step in the argument is that the State which declares war is and must be in a position to do it. But once it declares war against any other State, then there can be no question of its propriety, justice or right. In the particular case before the Court, and notwithstanding their territories which were occupied, I do say that this war at all events was completely a justified war. International law in the question of war is not static. It is law that has grown from time to time with the progress of civilization.

Therefore the question really is, once it comes to war, there is no question of justification. But hitherto at all events now in the global war a great many events have occurred of which international conscience takes note. I will read out to you two passages, one from Mr Winston Churchill from the Hansard and another from Mr Eden. The position now is that international law has reached this stage that if liberty and democracy are to have any meaning all over the world, and not merely just for a part of it, and this is not politics, it is law—any war made for the purpose of liberating oneself from foreign yoke is completely justified by modern international law. And it will be told as the result of any decision arrived at here or otherwise, that the Indian may go as soldier and fight for the freedom of England against Germany, for England against Italy, for England against Japan and yet stage may not be reached when a free Indian State may not wish to free itself from any country, including England itself. We maintain that this particular war, according to the decisions requires no justification. If one State can declare war, then the other State can also declare war and fight, and anything done in its due prosecution has no civil consequences of any kind. In other words, not one of these men now charged before you can be called upon to account for his actions. We can show that they have done nothing outside the scope of the due prosecution of war on a civilized basis. That is an emphasis which I always wish to put. It is not alleged against these men that there was any question about the acts with which they are charged. They were acts carried out in due prosecution of the war, under what you may call civilized rules. Therefore the question before the Court is a very narrow one.

To continue what I was reading:

'A civil war between different members of the same society is, what Grotius calls, a mixed war. It is according to him public on the side of the established Government and private on the part of people resisting its authority. The general usage of nations is as regards such a war as entitling both the contending parties to all the rights of war as against each other and even as respects neutral nations. It seems to be now settled that it is unnecessary in order to constitute war that both parties should be acknowledged as independent nations or sovereign States.'

There was at one time the old idea that you had to be an independent State or a sovereign State in order to be able to declare war. Of course that created a vicious circle, that a subject race will remain in perpetuity a subject race. It can never make a legitimate war for the purpose of liberating itself. Hence modern international law has now recognised the right of subject races which are not for the time being or at the moment independent, to be so organised, and if they are organised and fight an organised war through an organised army, the individual members of that army are unanswerable before any municipal court for what was done in due prosecution of that war.

It seems to be now settled that it is unnecessary in order to constitute a war that both parties should be acknowledged as independent nations or sovereign State. A war may certainly exist between a State and its suzerain as in the Boer War. May I appeal to this Court and all of you who are familiar with British history—what about Charles I and his death? What about the Magna Carta? What about James II? It is all recorded in history. In other words, you do reach a stage where the organisation, call it rebel if you like, call it insurgent—insurgents or rebels may reach a stage of organisation for the purpose of liberating themselves when what they do after declaring war is subject to the laws of war.

‘A war may certainly exist between a State and its suzerain as in the Boer War. Moreover, a way may exist where one of the belligerents claims sovereign rights as against the other, whether in a federal or a unitary State ...’

But it is quite an unnecessary requisite. If even a subject race finds itself in a position where its organisation is able to declare war, the acts done by the armies on either side come under this. I put a very simple question: What about the acts of those who fought on the side of the British in this war? They killed lots of people. Would they be put up before this Court under Section 302? Most amazing! It was a properly fought war, no doubt as in other wars one or the other side lost, and the fact that a war is lost has not effect on the immunity from the consequences in acts done in due prosecution of the war. He says further:

‘Whether the struggle is a war or not is to be determined not from the relation of the combatants to each other, but from the mode in which it is carried on. The Government of the State may recognise its subjects as belligerents, in which case other States will normally but need to follow the same course. Or other States may recognise belligerency, in which case the parent State will all but certainly follow suit.’

That is the crux of the matter. I quite agree that if ten persons in a village declare war on Britain, they are rebels, and I am not here to justify it. What I am saying is this: in a struggle between two organisations a stage must be reached where the organisation of the State and the organisation of the army are such that it is a war recognised by civilized nations; and if it is once recognised, then the immunity follows. As the books point out, we had the instance of the war between the South and the North of America and you have a declaration from Abraham Lincoln downwards that it was a proper war and there was nothing more to be said about it as soon as the hostilities ceased. It goes on to say:

‘Among the tests are the existence of a *de facto* political organisation of the insurgents sufficient in character, population and resources to constitute it, if left to itself, a State among nations capable of discharging the duties of a State; the actual employment of military forces on each side acting in accordance with the rules and customs of war ... If all these elements exist, the condition of things is undoubtedly war; and it may be war before they are all ripened into activity.’

Therefore what I wish to say is this: that the test by which you will judge this case is, have we or have we not proved the existence of a *de facto* political organisation of insurgents? I do not deny that they were insurgents. Apart from the other question to which I shall come presently, I will assume against myself that the people who declared war and who declared the Provisional Government of Free India were a set of insurgents, a set of rebels—I will assume that against myself.

As President Grant said in his message of June 13, 1870:

‘The question of belligerency is one of fact not to be decided by sympathies for or prejudices against either party. The relation between the parent State and the insurgents must amount, in fact, to war in the sense of international law.’

I call upon you to do the same. It is not a question of prejudice; it is not a question of prestige or what happens to the Army, to this or the other person. Please remember that you are here as judges; you are not politicians, I agree, and I do not want you to be such. If you find that there is a *de facto* political organisation sufficient in numbers, sufficient in character and sufficient in resources to constitute itself capable of declaring and making war with an organised army, your verdict must be in favour of these men—no more and no less than the verdict on your own men for killing others, of which act you are justly proud.

That is the position in law.

Then I wish to call attention to another book on International Law—an accepted book and what is more it is borne out by all the earlier cases in which war was waged by what you may call insurgents against their own sovereign, if you must use that expression. This book is by Lawrence—page 309. The whole question before the Court under this particular head is whether or not there was a properly declared war in prosecution of which the accused before you did the acts which they did. And if they did that in due prosecution of that war, then there can be no question of any civil offence, as I think all of you in your own person will easily realise. I am not obliged in my civil life to kill any body except on pain of conviction, but you are. Lawrence says:

‘War may be defined as a contest carried on by public force between states, or between states and communities having with regard to the contest the rights of states, the parties to it having the intention of ending peaceful relations, and substituting for them those of hostility with all the legal incidents thereof.’

These were no private acts done with a private motive or done for private individual benefit. They came to be done by them as members of an organised army, having declared war and the law says to them that no such consequences as the government demands can arise. Lawrence goes on:

‘It is true that two States are said to be at war as soon as one of them has received a declaration of war from the other.’

Here there was in fact a formal declaration of war. Then I call attention to a well-known work of Oppenheim on International Law. Oppenheim was Professor of International Law at Cambridge University. He says this—(Vol. II. Page 166):

‘War is a contention between two or more armed States through their armed forces for the purpose of over-powering each other ... War is a fact recognised, and with regard to many points, regulated but not established by International Law.’

Once you get to the stage of war, naturally it is the primary purpose of each party to overpower the other. Therefore in due prosecution of it, acts which might be called offences under civil law are not offences: the very purpose is to destroy men and property—the very thing which would otherwise be unlawful becomes right, becomes patriotic, becomes a duty.

‘In any case it is universally recognised that war is a contention, i.e., a violent struggle through the application of armed forces ...

To be war, the contention must be between States ... On the other hand, to an armed contention between a suzerain and its vassal State the character of war ought not to be denied, for both parties are States, although the action of the vassal may, from the standpoint of constitutional law, be rebellion.’ (para 56)

I have already said that States are those which have the right to make war like States.

The first proposition for which I stand before this Court is this, that the two States sufficient in number, in organisation and in resources may make war against each other. That is the proposition to which I stand, and if they made war against each other, then there is complete immunity for

what might otherwise be a private offence. That must necessarily follow from the acceptance of war as a necessary evil in this infirm world, and no individual member can be called upon to answer for the consequence of his acts so long as it is a properly declared war. I shall call the Court's attention to Mr Hyde's book on International Law, Vol. III, page 1792.

'So soon as a man is armed by a sovereign government and takes the soldier's oath of fidelity, he is a belligerent; his killing, wounding or other war like acts are not individual crimes or offences. No belligerent has a right to declare that enemies of a certain class, colour or condition, who properly organised as soldiers, will not be treated by him as public enemies.'

In other words the position is simple. Any act done by members of an armed force against any opponent, which in ordinary times in a personal case would be a civil offence, ceases to be an offence altogether. Otherwise, war and recognition is not a possibility.

There is a very important decision of the Federal Court of the United States expressing the same thing. I may be pardoned for multiplying authorities, but I do so because I feel that instead of paraphrasing the idea myself, if I do it through the medium of an accepted authority, I might be able to carry better conviction. It is Vol. 168, *United States Reports*, page 250. It is the case of *Underhill vs. Hennadez*. I am reading the judgment of Chief Justice Fuller. The opinion of the Court is as follows:

'Nor can the principle be confined to lawful or recognised Governments or to cases where redress can manifestly be had through public channels. The immunity of individuals from suits brought in foreign tribunals for acts done within their own States in the exercise of Governmental authority, whether as civil officers or as military commanders, must necessarily extend to the agents of governments ruling by paramount force as a matter of fact. Where a civil war prevails, that is, where the people of a country are divided into two hostile parties, who take up arms and oppose one another by military force, generally speaking foreign nations do not assume to judge of the merits of the quarrel. If the party seeking to dislodge the existing government succeeds, and the independence of the government it has set up is recognised, then the acts of such government from the commencement of its existence are regarded as those of an independent nation. If the political revolt fails of success, still if actual war has been waged, acts of legitimate warfare cannot be made the basis of individual liability.'

Chief Justice Fuller was deciding the case arising out of the war between the North and the South. A war might exist between what you might call an existing State and insurgents, and yet the insurgents, as they were called by the Federal Government, may have such organisation, force and strength that the relation between the two parties is one of the existence of war. Once the war exists, what is the legal position? If the party seeking to dislodge the existing Government succeeds, it is now accepted law that a successful rebellion is a Government established by law. The question is what is the position in case of an unsuccessful rebellion. The law is, I submit, that if the stage is reached where the rebels or insurgents are sufficiently organised and are sufficiently resourceful to make war, then it is entitled to be regarded as war and there will be no individual consequences to persons who take part in it. If actual war has that a regular war was being waged, and he put forward document after document to prove it, then the question is: What is the distinction between a private individual waging war on his own and his waging war as a member of a force or organised State. That is the real distinction which makes one immune from the consequences. If actual war has been waged, then acts of legitimate warfare cannot be made the basis of individual liability.

There is another case belonging to the same period. In *Ford V. Surget*, 97 *United States Reports*, page 594, (equal to 24 Law FD):

'The Confederate Government can be regarded by the Courts in no other light than as simply the military representative of the insurrection against the military authority of the United States.'

To the Confederate Army was however conceded, in the interest of humanity and to prevent the cruelties of reprisals and retaliation, such belligerent rights as belonged, under the laws of nations, to the armies each other that concession placing the soldiers and officers of the rebel army, as to all matters directly connected with the mode of prosecuting the war on the footing of those engaged in lawful war and exempting them from liability for act of legitimate warfare.'

The first proposition is this that in view of the fact that a state of war existed between the Provisional Government of Azad Hind and the British, any act done in prosecution of that war has not the consequences which the Crown claims or might have claimed in the case of a private individual.

In international law it is permissible for those who are subject to a foreign authority to organise themselves, and having an organised army to fight for liberation, whether it is successful or not, during the process which the war is being carried on, there is immunity, so far as individual members of the organised army are concerned for all acts done in due prosecution of war on a civilized basis other than war crimes like those which are the subjects of trial now in different parts of the world. That being so, my submission is that the accused men before you are entitled to be declared innocent in that there is no civil or criminal responsibility for those acts. In terms of the language of the books on law, the liability is on the State under whose direction they fought, and such liability in international law on the cessation of hostilities does not exist. Of course if a rebellion is successful, then it becomes a new Government, and there is the end of it and there will be no tribunals, but it is only a case in which it is not successful that the question arises and the answer is given in my clients' favour by international law.

The next point to which I wish to advert is the alternative point which I made under Section 79 of the Indian Penal Code. The issue which arises apart from the Indian Penal Code is an issue of great international importance. It has arisen, if I may directly or indirectly support the principles on which my contention is based. At the same time, appearing before this Tribunal, it becomes my duty to justify it on what I may call narrower ground to the extent to which it is necessary, for I do feel that before the Tribunal constituted as this is, it is equally important that I should put myself within the narrow sphere of the Statute itself. Then I submit, assuming my submissions are correct and accepted, the hands of the Tribunal are fairly strengthened. The words which I referred to in Section 79 of the Indian Penal Code are 'justified by law'. The question is what is the meaning of the word 'law' appearing in Section 79 of Indian Penal Code. If I can satisfy this Court that the law there comprehends and includes international law, I submit my Honourable Friend on the other side would have hardly any case to present to the Court at all. If the word 'law' in Section 79 includes International Law so far as the immunity which I have described before is concerned, then I submit the three men at your bar are entitled to plead that they were so justified in the actions which in ordinary private personal life might have been offences under the Indian Penal Code. I wish to call your attention to a certain number of authorities on the question. The first authority to which I call your attention is Blackstone's Commentaries in Book IV, but is Volume II in this binding. It is accepted at all events by British lawyers that Blackstone's Commentaries are the fountain source of Common Law of England and it is a matter which I wish to particularly assert before this Court. The page that I am reading is 2237 (Vol. II, edited by W.C. Jones). Most of us who are lawyers are familiar with Blackstone's Commentaries and know that he is father, to very large extent, of Common Law. Blackstone's Commentaries are relied upon in British Courts as a very authoritative exposition of the law on the particular question which he has dealt with.

'In arbitrary States this law, wherever it contradicts or not provided for by the municipal law of the country, is enforced by royal power; but since in England no royal power can introduce a new law, or suspend the execution of the old, therefore the law of nations (wherever any question arises which is properly the object of its jurisdiction) is here adopted in its full extent by the common law, and is held to be a part of the law of the land.'

So that, as soon as the Court has ascertained what is the international law on a particular point before the Court, it is the bounden duty of the Court to administer that part of International Law as a part of the law of the land, and hence it is that I am submitting to the Court that the word 'law' in Section 79 should be given that extensive meaning which the law has by the Common Law of England.

The next work on which I rely for the purpose of the meaning of the word 'law', meaning thereby that 'nothing is an offence which is justified by law' is Oppenheim's *International Law*. The question is what is law, and it is in support of that that I am submitting next Oppenheim's *International Law* Vol. I, Fifth Edition, page 36, article 21a:

'In view of this wide divergence of doctrine it is necessary to inquire into the actual legal position in the principal countries in the matter of International Law and Municipal Law.

(1) As regards Great Britain, the following points must be noted:

(a) All such rules of customary International Law as are either universally recognised or have at any rate received the assent of this country are *per se* part of the law of the land. To that extent there is still valid in England the Common Law doctrine, to which Blackstone gave expression in a striking passage, that the Law of Nations is part of the law of the land. It has repeatedly been acted upon by Courts. Apart from isolated *obiter dicta* it has never been denied by judges. The unshaken continuity of its observance suffered a reverse as the result of the dicta of some judges in *The Franconia Case* in 1876, but *West Rand Central Gold Mining Co. v. The King* decided in 1905, must be regarded as a reaffirmation of the classical doctrine.'

So that, ever since the time of Blackstone, until the last edition of Oppenheim, which belongs to the year 1937, there has never been any question that on any issue in which the doctrine of international law is accepted to be international law, it becomes a part of the law of the land in England, and law of the land here.

Next, I call attention to the work of an American Jurist Hershey on *International Public Law and Organisation*, page 14, 1927 Edition:

'International Law is part of our law, and must be ascertained and admitted by the Court of Justice of appropriate jurisdiction as often as questions of right depending upon it are duly presented for their determination. For this purpose, where there is no treaty and no controlling executive or legislative act or judicial decision, resort must be had to the custom and usages of civilized nations; and as evidence of these, to the works of jurists and commentators who, by years of labour, research, and experience, have made themselves peculiarly well-acquainted with the subjects of which they treat. Such works are resorted to by judicial tribunals, not for the speculations of their authors concerning what the law ought to be, but for trustworthy evidence of what that law really is.'

So, you will see from this quotation which has come from Justice Gray in the case which is cited—Vol. 195 *United States Reports*, case 113 at page 163, that it has been accepted that while administering justice it is your bounden duty to find out, recognise and apply the principles of international law where a person at your bar seeks justice on the ground that the act with which he is charged is an act justified by law and that for the purpose of ascertaining it you may have resort as it is stated by the learned Judge himself to 'the usages and customs of civilized nations, and as evidence to this to the work, of jurists, commentators, who by years of labours, research and experience have made themselves peculiarly well-acquainted with the subject of which they treat.'

There I plead that when the time comes for your deliberation you will carefully of which I have no doubt, and diligently of which I am perfectly conscious, study and apply your mind to the citations which I have already given and which I am about to give. Because according to the well-accepted canons, the commentators who by years of labour, research and experience have made

themselves peculiarly well-acquainted with the subject of which they treat, and such works are restored to and have to be restored to by judicial tribunal. I have got, Sirs, the original judgment from which this quotation is given. The judgment is reported in 175 *United States Reports* in the judgment at page 700. The case is *Paquet Habana*. Appeals from the District Court of the United States for Southern Districts of Florida. The judgment of Mr Justice Gray on this question is to be found at page 700. I do not wish to read it again, because I have already read it from the textbook in which it is now accepted. At the same time I may be pardoned for pressing this point upon the Court because then the issue before this Court becomes exceedingly narrow. If I am able to persuade this Court, as I hope to do, that in administering the law you are bound to have regard to international law, there will be no difficulty whatever in the way of the defence which I am presenting. Then the Statute law has made it incumbent upon you, and in fact has declared that nothing is an offence which is justified by law. If therefore the acts which are said to be offences are declared not to be offences, and if I am able to show that the law so declares them, then it will be your duty to declare that, notwithstanding apparent confusion of thought, words like treason and so on, will have no value.

The law of treason in India is codified. It is to be found in Chapter VI of the IPC (Offences against the State) in Sec. 121 and following Sections. Therefore let me caution the Court against the general use of words like 'treason'. The question is whether my clients who have been charged under Sections 121 and 302 have or have not, in doing those acts, been justified; the law of this country declares that it is not an offence. In other words the law of this country recognises that there may be acts which if done in private life for private motive might be an offence but which in public life or public duty are not an offence. A Judge is not liable as an abettor of murder because he orders a man to be hung, because he is justified by law. Similarly and equally, if not more emphatically, the member of an armed force having declared war, if during the state of that war he has committed acts which in private life might be offences, the law says nothing shall be an offence. Therefore I do wish in so far as in me lies, to press this point upon your attention, because the first line of argument which I submitted to the Court stands, and I submit to the Court that is the law. In other words the law is that in the prosecution of war the acts which take place are beyond municipal law. But assuming for the purpose of argument I have to take my stand on a narrower ground. Then the law of this country, the Indian Statute Law itself enjoins upon you that if I can show justification by means of international law for those acts, then my clients are entitled to a verdict in their favour. I say this to you in the language of one of your greatest poets that if in so far as God grants me the tongue of persuasion and you the ears of hearing, I have not the least doubt that when you have considered the cases before you, you will have no difficulty or hesitation to decide in my favour on that narrow ground.

The next point to which I wish to call attention is Moore's *International Law and Digest*, Page 2, Vol. I and this is how it is stated:

'It is thus apparent that from the beginning the scene in question denoted something more than the positive legislation of independent States and the term international law which has in recent times so generally superseded the earlier titles served to emphasize this fact. It denotes a body of obligations which is in a sense independent of and superior to such legislation. The Government of the United States has on various occasions announced the principle that international law as a system is binding upon nations, not merely as something which they may be tacitly assumed to agree but also as a fundamental condition for their admission to the full and equal participation in the intercourse of civilized nations.'

I therefore cannot more emphatically assert than the ground on which I appear before the Court and I have no doubt that it will rise superior (in the language of one of the cases that I read) to all

questions of prejudice and come to the right conclusion in considering Section 79 and the immunity granted by it.

Just one more passage to which I wish to call attention. It is the judgment of the Privy Council on this question. The last under these heads is a judgment of their Lordships of the Privy Council, reported in a recent number, 1939 appeal cases, page 168. There a question of international law arose. The name of the case is *Chang Chi Chu*. It was a case of murder committed on a Chinese ship and that is how the question arose of the liability of the prisoner to be tried. And the question arose to what extent in international law it was necessary to consider whether the prisoner was liable. The contention shortly stated was that the Chinese ship was so much floating Chinese territory. That was the claim made under the international law. Their Lordships of the Privy Council held that under international law it is probably not correct to say that a floating ship of foreign power is so much, what you may call, island foreign territory. But they have ruled by reason of the respect accorded to community of nations, that anything that occurs on a foreign ship is not within the authority or jurisdiction of municipal law. In this particular case what they held was that in as much as the ship itself accepted the authority of the power which was exercising authority in those waters, they held it became an exception. But in considering the applicability of international law to the question whether or not the Court had jurisdiction to try this particular Chinaman, the question arose to what extent international law has to be considered and the judgment of Their Lordships delivered by Lord Aitkins is very important from this point of view. I would not enter into the question of details which arose in that case though by themselves they are interesting enough. But I may say this that the observations which I propose to read are necessary and essential because the whole defence to the charge of murder, and the want of jurisdiction of the Court, were based on the ground that under international law the Court had no jurisdiction and for that purpose the Court went into the question of what was the appropriate international law on the question. Their Lordships said with reference to the necessity of the application, or rather with reference the obligation to ascertain and apply international law ourselves was a part of the law. That is how that part of the case is stated.

Page 167: 'Their Lordships entertain no doubt that the law is the correct conclusion, namely that a ship is not so much floating part of a foreign territory, but that immunity is granted for whatever happens in that ship in so far as jurisdiction is concerned. It more accurately and logically represents the agreement of nations which constitute international law, and alone is consistent with the paramount necessity expressed in general terms for each nation to protect itself from internal disorder by trying and punishing offenders within its boundaries.'

It must always be remembered that in so far as at any rate the courts of this country are concerned, international law has validity in so far as its principles are accepted and adopted by domestic law. There is no external power that imposes its rules upon our code of substantive law or procedure. The Courts acknowledge the existence of a body of rules which nations accept among themselves. On any judicial issue they seek to ascertain what the relevant rule is and having found it they will treat it as incorporated into the domestic law so far as it is not inconsistent with the rules enacted by any Statute or finally declared by their tribunals. What then are the immunities of public ships of other nations accepted by our courts and on what principle? I say that in this particular case not only there is no Statute to the contrary, but in fact the Statute imposes that obligation coming back to the action of Section 79, viz., nothing is an offence which is justified by law. Therefore what you have got to do, Sirs, is to ascertain the relevant body of international law, and having done so, apply it to what is described as domestic law. Therefore there can be no reasonable doubt that in the construction and application of Section 79 the submission which I have already made on the immunity of individual members of an armed force fighting in a war properly declared, that

immunity is a part of international law and therefore is a part of national law. And I submit that your own experience whenever emergencies of war have arisen should bear ample testimony to that position. Each time a soldier fights under the orders of a state in a war properly declared, if he were to consider that would be a very difficult process indeed. It is an assumed part of the law of nations that once you become a member of a fighting force of a properly qualified State entitled to make a war, there is an end of all individual liability for the acts which if they were private acts for a private purpose might be an offence within the law. Though according to my submission the first is an essentially correct ground, in any case the justification by law is a sure ground on which I stand before this Court. Hence I submit that nothing is an offence which is justified by law and I therefore say that the acts with which the accused are charged before the Court are justified by law, that is to say by the international law, and therefore, there can be no question of a personal or individual liability.

This question has been considered in a different form or perhaps in different language because I wish to point out to you, as you have seen in the earlier works to which I referred, the law of war is often described as the law of belligerency. I wish to point out to the Court, as I shall presently do, what is the law of belligerency; in other words who are entitled to be treated as belligerents in the light of international, and what I may call municipal or domestic law.

For that purpose I wish to call attention to the authorities which clearly show where and how the law of belligerency rests. I again refer you to Oppenheim on International Law 1944 edition, Vol. II: he was professor of international law at Cambridge and falls within the description which I gave of men who have by their labour and research and experience and knowledge, contributed to the formulation of international law on many questions. The present question is dealt with on page 200—Article 76 A:

‘Recognition of belligerents by other states is not as a rule binding upon the State. Notwithstanding such recognition, it is entitled to treat the insurgents as traitors; but the position is controversial with regard to recognition as a belligerent power granted to separate armies which comprise subjects of the enemy who are fighting to free their nation from this rule and which are responsible to an authority recognised as representing the nation in question.’

That really epitomizes the whole of the issue—‘but the position is controversial with regard to the recognition as a belligerent power granted to separate armies which comprise subjects of the enemy who are fighting to free their nation from this rule and which are responsible to an authority recognised as representing the nation in question.’

To translate it according to law, the accused before you were members of an army responsible to the Provisional Government of free India, fighting to liberate themselves from the rule of the army of those who were fighting against them, and I submit that is precisely the case before us. The author goes on and gives instances of cases of that kind, and I want to draw your particular attention to those historical instances which fortunately have occurred before, so that I stand before you on much more solid ground than if this were perhaps actually the first instance:

‘Thus, in the year 1918, during the world war, Great Britain, France, Italy and the United States of America recognised Czecho-Slovaks as co-belligerents. Similar recognition was granted in the year 1917 to the Polish National Army, composed to a substantial degree of the subjects of the enemy powers. It has been maintained that as in the case of insurgents in a civil war—(quotations of which I have already given)—the enemy is entitled to disregard such recognition and treat the members of the insurgent army when they fall into his hands, in accordance with the provisions of the criminal law. The better opinion is probably that when such recognition is granted by an adversary to large bodies of men effectively organised on foreign soil in anticipation of independent nationhood, a point is reached at which the belligerent confronted with disaffection and desertion

of a considerable number of his subjects engaged in hostilities against him can no longer, without exposing himself to justifiable retaliation, assert the provisions of his own criminal law as the only legally relevant element in the situation.'

I want to draw your attention pointedly to the conditions which are here laid down and which, I submit, we have more than amply fulfilled, I ask this court to declare that that is the better opinion, and I do say that we have reached a stage far in advance of the illustration given by Oppenheim. In this case not merely men were effectively organised, but there was a regularly organised army. This has been amply proved by the Prosecution—thanks to them for that. They have amply proved that there was a regular army, a properly organised army—on foreign soil it is true—but with this added qualification in my favour, that Indians residing in places where the army was organised, numbering not a few hundreds, even a few thousands, but two million men and women and children, through 2,30,000 adult men and women swearing allegiance to that Provisional Government for the purpose of liberating their country—which unfortunately failed, but none the less the condition required that you may at your peril call to aid the criminal law of the country against such an organisation—effectively organised on foreign soil in anticipation of an independent nationhood. It is true—and that is why I read the Proclamation to this court—I read it with a view to show to you that the object with which on foreign soil an independent government was formed was with the object of liberation of their country. It was undoubtedly in anticipation of independent statehood; and of course if the independent state had been established by the successful prosecution of force, as I said, this tribunal would not have been there to try them. It was because it was done in anticipation which failed, and which does not detract from the point, that a stage is reached in which a belligerent confronted with the disaffection and desertion of a considerable number of his subjects engaged in hostilities against him, can no longer assert the provisions of his own criminal law as the only legally relevant element in this situation. In other words, the legally relevant element in this situation is that we, meaning the two armies, had reached a stage where, having reached a stage of war—there can be no question at all that under Section 79 we are entitled to the justification which the laws of war give to belligerent armies. And that no acts done during the course of the prosecution of the war are matters of what you may call domestic law, pure and simple; which would be as if any one of these three accused went and did any of these acts out of private motive. Therefore, it is essential to remember that in all these cases the substance of the law is this: two independent states can always make war and the members of their combatant forces are unanswerable for their acts. Only the question arises, or the intermediate stage arises, whether without having reached the stage of independent statehood (to take the words of Oppenheim) you have attained a stage, and whether having founded a State for the purpose of liberating your own country, you are so organised, both the State and the Army, that it assumes the proportions of a State and as a result of the war—as much a war between two independent states. I am pleading before you that we have proved before this court, and the documents which otherwise we would not have had the benefit of and have generously been produced by the prosecution all of them distinctly and clearly showed that we had reached that stage and this court would not only be justified but I submit, bound in law and in conscience to regard the accused as belonging to that organisation, and as member of such a belligerent army they are entitled to all the privileges of the laws of war. In other words, immunity for personal acts carried out in due prosecution of the war, as you yourself in your own person would claim.

The next book to which I would call attention is the *British Year Book of International Law*, 1937, page 18. It says:

'What we call belligerent recognition is not so much recognition, even temporary and provisional, of a new government as the recognition of the existence of a war.'

I may explain what is meant here, because the recognition comes at a stage when it has not yet succeeded in establishing its own government. Of course, if for instance perchance this very army had succeeded in its aim, as the maxim of international law is, the successful revolution is the government established by law. But earlier than that there is the stage at which it is in a state of war and that is all that is necessary for the purposes of my case. If I can establish that they were making war, which is regarded as a stage of belligerency by international law, they are entitled to the same privileges and immunities as would be accorded to the armies of two independent nations. It continues:

‘The existence of war is purely a question of fact; but if we recognise the fact that a war is being carried on, then the recognition of the insurgent government follows as a necessary consequence. Wars can only be carried on by governments and there must be at least two parties to every war. Much of the confusion which obscures the current discussion of the Spanish problem arises from the failure to observe this correct logical consequence. The true doctrine is that recognition of the government is the necessary and logical consequence of recognising the fact of war.’

Therefore I submit that once you recognise, as I submit this court is bound to do on the evidence before it, that there was a regular properly declared and properly prosecuted war, then I submit there can be no question that the acts of these men, done in due prosecution of that war, are completely justified by international law and therefore by law.

The instances are given in the Year Book of International Law. This is what it says:

‘Lest this should seem to be merely doctrinaire, that is the kind of criticism with which we people are sometimes apt to run away—a theoretical opinion, I shall try to fortify my doctrine by authority. In 1828 Don Miguel, the Pretender to the throne of Portugal was carrying on war by sea and land against his niece and nominal fiancée the child, Queen Donna Maria, who was recognised by Great Britain and other powers as the legitimate sovereign of Portugal. At no time during the struggle was Don Miguel ever recognised by Great Britain under any form *de jure* or *de facto*. In 1828 he proclaimed naval blockades of Oporto and of the Azores. These blockades were notified to the British Government which published the notices in the London Gazette and communicated them to the committee of Lloyd’s. The King’s Advocate Sir Herbert Jenner advised the British Government that the blockades, if effectively maintained, might be recognised as valid, although no form of recognition had at any time been conceded to Don Miguel.’

In other words the distinction that is sought to be made is that you may recognise the state of belligerency without necessarily recognising the State.

Refusal to recognise the blockade, so Jenner advised, would be a departure from the neutrality which this country had professed in the civil war. Twenty years later the Palmerston Government, following the advice of Sir John Dodson—and I hope the Judge Advocate will advise you accordingly—then the Queen’s Advocate, decided to recognise the blockade of Trieste by the Italian insurgents during the Revolution of 1848, although there had been no other act of recognition of the insurgent government.

The point I am trying to emphasize is this that you need not necessarily recognise your opponent as a government and yet during the course of the war, once you recognise that it was a proper state of belligerency then the immunities and privileges which I described before follow, because the men, and in modern times the women, who are fighting for the insurgent government are recognised for the purpose of these immunities. It goes on:

‘Upon the point which we are now discussing Dodson’s opinion is very clear. “It is sufficient” he says, “to justify a blockade if duly maintained that a *de facto* war is carried on by Sardinia and Venice on one side and Austria on the other”.’

Even more clear is the opinion of a later Queen's Advocate Sir John Harding when advising the Government in 1860 upon the question raised by Garibaldi's rebellion. This is perhaps nearer in its application. This is the quotation from the opinion of Harding:

'If Her Majesty's Government considers that a civil war actually exists between the dictatorial Government of Southern Italy and that of His Majesty the King of the two Sicilies in which Great Britain is to be strictly neutral and that the dictatorial Government has in fact attained (howsoever) an independent and sovereign existence and governs *de facto* a portion of the Neapolitan dominions, then Her Majesty's Government may without violating or disregarding the Law of Nations and without encouraging piracy, so far recognise the acts of this *de facto* government as to admit the validity of an effective blockade, maintained by a competent naval force acting under its orders, or to acquiesce in the capture and condemnation by it of articles of contraband of war designed for the use of the King of the two Sicilies.'

The belligerency which existed was between what you might call the King of Italy and the insurgents, and the advice of Sir John Harding was that if there was a *de facto* war between the two, then the rights of the belligerents should be accepted and acknowledged. In other words, supposing they took as prize of war ships belonging to what you might call the constituted King of Italy, it would still be a perfectly good prize.

In the course of the same opinion, Harding pointed out that Garibaldi and his officers could not possibly be regarded as pirates, since they were carrying on war in a regular manner and had been dealt with on equal terms by British naval officers. The three opinions which I have just cited are those of British law officers ranging over the period from 1828 to 1860.

Without further multiplying citations, I will therefore summarise their effect by saying that what we recognise in these cases is the existence of war. The recognition of the insurgent government is merely incidental or consequential since a war implies the existence of some independent authority which carries on the war.

The next thing to which I wish to call your attention, is the recognition. This matter has received from the British Government through the then Foreign Secretary, Mr Eden. I am reading from the Hansard which is the recognised report of the Debates of the House of Commons. I am reading from the debates of the 14th April 1937, page 1133. This is what I have here:

'The Leader of the Opposition spoke earlier today as though the Government had given something up in this case. Of course we have not given anything up, because you can never grant belligerent rights to one side only; they must be granted to both sides, if they are granted at all.'

This issue arose on the question of the Spanish war.

'The Honourable Gentleman remarked that he thought that never in history had there been any question of granting belligerent rights early in a dispute. As a matter of fact, in the American Civil War we did grant belligerent rights within six weeks of the outbreak of the Civil War.'

'Mr Noel Baker said: The Government themselves declared a blockade, which, as all international lawyers will agree, compels them to grant belligerent rights to both sides.'

'Mr Eden: We ourselves made, in point of fact, a declaration of neutrality out of which arose the granting of belligerent rights to both sides. That is what we did in the American Civil War. Of course that does not stand alone. It is not the only example. The Honourable gentleman is probably familiar, I think, as I know something of his associations in this respect with the Greek rebellion against Turkey in 1821-25. At that time also—remember that in each case there were insurgents against their parent State fighting for their liberation, and it was during the course of that struggle that the rights of belligerents were granted by Britain. At that time also, belligerent rights were granted and His Majesty's Government voiced this opinion to which I would draw the attention of the House; the character of belligerency was not so much a principle as a fact that a certain degree

of force and consistency acquired by any mass of population engaged in war entitled that population to be rendered in the interest well-understood of all civilized nations so to treat them.'

The position of British politicians and British law on the question of the recognition of belligerency even between what I might call the parent state and the rebel states has always been recognition of belligerency.

At that time Canning was Foreign Secretary of this country and Professor Philips in his *History of Europe* deals with this very interesting chapter on modern Greek independence. He says:

Curiously enough as in the affairs of Spain, so now his [Canning's] attitude was frankly based upon the interests of England. The interests of England in his opinion demanded peace.... The recognition of the belligerent character of the Greeks was necessitated by the impossibility of treating as pirates a population of a million souls and of bringing within the bounds of civilized war a contest which had been marked at the out-set on both sides, by disgusting barbarities.

Those were both cases in which belligerent rights were granted. A third and perhaps, in a way, even more remarkable case, was the revolt of the Spanish American Colonies against Spanish Government from which resulted the establishment of the South American independent Republics as we know them today.

So that you have instances on both sides of the line. You have instances where those who rebelled against a State for their own independence ultimately succeeded, but while they were in a state of war both were recognised as belligerents. Those others in which they did not succeed but nonetheless during the interval of the struggle, they were both recognised as belligerents.

A third, and perhaps, in a way, even more remarkable case was the revolt of the Spanish American Colonies against the Spanish Government, from which resulted the establishment of the South American independent Republics as we know them today. In that dispute we recognised the rights of the belligerent colonies....

People were actually revolting against their own Government for their own freedom, and one need not be apologetic in this period of world history to say that the subject race may free itself.

In that dispute we recognised the rights of the belligerent colonies long before we recognised them in any other way, and, when I heard the Right Hon. Gentlemen below the Gangway speaking earlier this afternoon, I bethought me that he might well have remembered the enthusiasm shown by the Liberal Party of that day for those new States across the Atlantic to whom we accorded belligerent rights, though they were rebels against their own mother country.

Sir, I say that I could not quote a stronger authority for your adoption than the action of the British Government as stated authoritatively by the Foreign Secretary of Britain and I would like to read it again in order that I may not miss the point:

I bethought me that he might well have remembered the enthusiasm shown by the Liberal Party of that day for those new States across the Atlantic to whom we accorded belligerent rights, though they were rebels against their own mother country.

And I say that the same point arises for you. It is true that those who fought were rebels from the point of view of constitutional law as against their own King—and later on I will come to the question of allegiance—it will be my duty to analyse before you what that means, though it is irrelevant to the issue as I shall point out. The very fact that those colonies were fighting against their mother country as it is called, shows that at that time there was what you may call 'legal allegiance', but legal allegiance cannot be a matter of perpetuity because if it becomes a matter of perpetuity no subject race will ever attain freedom. For the moment, the point with which we are concerned is merely this: that while in a state of belligerency Britain recognised the rebels as proper belligerents, those who were fighting against their mother country, and if that belligerency

is recognised, I venture to submit it will be far too much Government of Free India and the Armies fighting under them. Mr Eden goes on—because he wanted to make the point that the State will be recognised not only when it comes into existence, but while still the struggle goes on. Now I read:

‘What I wish to deduce from these three examples is that the natural thing,’

Mark the words:

‘... when a struggle has reached the large dimensions of the present war in Spain, would have been to recognise its belligerent character, and for States whose maritime interests are involved, as ours are, to grant belligerent rights to both sides.’

In other words, as he put it before, it is essentially a matter of fact. If we find that the struggle,—call it rebellion, call it insurgence, call it what you like,—has reached such proportion that you cannot control it by normal means, then you must recognize that it is a state of war, and once you recognize that it is a state of war, those who fight in pursuance of the declaration of war and in prosecution of it are entitled to all the rights of belligerency. Then he goes on:

‘That would have been the natural thing to do. Recognition of belligerency is, of course, quite distinct from recognising anyone to whom you give belligerent rights as being the legitimate Government of the country.’

And that is what I want to impress upon you, that if it is asserted on the other side that it is required for the purpose of immunity from all acts done in due prosecution of the war that the Provisional Government should have been recognised by Britain, it is a completely futile argument. In fact, the very hypothesis cannot exist. The hypothesis is this: The rebels as I have called them—I do not mind it—are fighting for their freedom against another country. If they succeed, the Government will be recognised, but in the meantime, during the course of fighting, the Government won’t be recognised, but what is recognised is belligerency. I shall presently point out what it involves—immunity from all acts done in due prosecution of the war.

‘Recognition of belligerency is, of course, quite distinct from recognising anyone to whom you give belligerent rights as being the legitimate Government of the country.’

It is a fact that the Provisional Government was not then and did not become the actual Government of India, but that does not matter at all. What are the rights and privileges during the course of the struggle, and if I am right in my submission to the Court, there can be no doubt that during the course of struggle there was only one duty owed by men like the accused before you, and that is to prosecute that war under the orders of the Provisional Government—and anything that they did by way of prosecuting that war gives them complete immunity.

‘It has nothing to do with it. It is a conception simply concerned with granting belligerent rights which are of convenience to the donor as much as they are to the recipients. I will not go into the reasons, but for a variety of the reasons in the present dispute we are not granting belligerent rights.’

So that you have here recognition of an adoption of the principle supported by precedents as stated by the Foreign Secretary of that day.

Then there is a quotation from Mr Churchill’s speech during the course of the same discussion to which I wish to call your attention. That is on the 14th of April 1937, page 1068:

When I hear my Right Hon. friend opposite speak of rebels, I must remind him that, sitting there as he does in the seat of the Wigs, he is departing from Wigs’ principles. The sacred right of rebellion was one of their first doctrines. In regard to liberal statesmen, there the Right Hon. Gentleman sits, the successor to Mr Gladstone, striving to uphold the great principles to

Mr Gladstone, striving to uphold the great principles for which his party stands. But what was Mr Gladstone's record? He was a strong supporter of rebels. He was a strong supporter of the rebels in the war of American secession. There, we had a civil war in which the rebels were not only rebels but slave owners. Mr Gladstone went about the country and in a famous speech either at New Castle or Hull, proclaimed that the Confederate States (i.e. the Southern States) had not only founded an army, but that they had founded a navy, they had founded a Government, and more than that, they had founded a nation. (An Hon. Member: 'He was a Tory then'.) He was not a Tory then. Therefore, before one takes the view that rebels are like mad dogs to be put down and shot at sight, we should remember these things.

In other words, in that debate the Government of the day in England recognised that while a rebellion may or may not be successful, while it has attained a stage of war, you must recognize and give immunity to those people who fight on either side, for what justification is there on the part of one set of them to fight and claim immunity as against the other side? If the INA shot, I dare say the British Indian Army equally shot from the other side. The justification is equal in both cases in so far as the particular struggle is concerned. Mr Churchill goes on;

If we search the history of the nineteenth century we shall find many cases where British Government have actually espoused the cause of rebels. The Hon. Member (Mr Maxton) the leader of the Clydeside Party, with his customary candour and frankness, made no bones about supporting rebels. He declared that the question was whether or not they were rebelling for the thing you wanted.

I am quite certain that we have proved to the hilt that they were rebelling for a thing they wanted which is fully approved of by any civilized human being. There cannot be two different laws for two different sets of people. 'Every one will support rebels who are fighting for the things of which they approve and they will criticise the Government which is for the things which they dislike. Therefore do not let us have too much of an attempt to make out that the Government in Spain have all the rights on their side and the rebels none.'

The Court will appreciate that I am pleading for a very limited right. I am not here before this Court on the question of the recognition or non-recognition of the unfortunate failure of the Provisional Government to obtain the independence of India. That is not the issue. There is a very narrow issue. It is this. While they were fighting and struggling, were they or were they not entitled to the rights of belligerents.

Mr Churchill goes on: 'Therefore do not let us have too much of an attempt to make out that the Government in Spain have all the right on their side and the rebels none. It is one of the most evenly balanced struggles and one of the most unpleasant and certainly it is the least cause for us to espouse. If we were to take the course which is recommended by the Right Honourable Gentleman and to break the blockade, if we throw the might of the British navy into the scale, could he guarantee or could he be sure that we might not provoke that very alignment and crystallisation in Europe along those unnatural and idiotic—perhaps I had better say ideological—lines which it is our whole message and mission to rupture, or least to avoid.' So that Sir, even up to the very last war, up to the year 1937, just on the eve of the last war, it is perfectly obvious that a distinction has been maintained, a distinction which I cannot too often insist upon between a state of belligerency which may be recognised and the rights accorded without the ultimate success of those who fought but none the less in the interval they are entitled to the rights of belligerency.

Then, Sirs, there is a further point and I tell the Court that it is a question of fact. This Court should find that this Provisional Government had ceded to it the territories which I have described. But while insisting on that finding of fact, because we submit that it was a fact, I wish to put out to you that from the point of view of belligerency it is quite unnecessary that the particular Government

for the time being need have any territory in its possession at all, and for that purpose, I wish to give you illustrations in history. Take Belgium in the last war and all the émigré Governments residing in London during the last but one war and the last war. What were those émigré Governments? Not an inch of territory which they could call their own at that time and yet who ventures to say before this Court that a member of the Dutch Army or for that matter the Polish or the French or the Yugoslavian Army may not fight to liberate its own country and not have the right to claim, even if they failed, all the rights and immunities as far as their soldiers are concerned of belligerency. I think, Sirs, the last war has illustrated more than any other that some of these old principle, may be overdone and that it is quite unnecessary in order to that you may have a state of war, that country that is fighting a war on one side need not necessarily at that time have, what I may call in the common English parlance, a local habitation though it may have a name. Many of these émigré Governments were deprived of their territory and the fact that they were deprived of their territory temporarily, or the fact that the Indians were deprived of their territories for 150 years, makes not the slightest difference to the point that we are submitting to the Court. What we submit to the Court is this. They were all liberating armies, trying to liberate their country and therefore were entitled to the immunities of those who were fighting. The next question before you, Sirs, is this. There is no such thing as the law of limitation in dealing with nations so that if either the Dutch or the French or anybody else was trying to fight for the liberation of their country while having lost their territory to the enemy, can it ever be argued in a British Court that those who were fighting to liberate their country were not fighting a struggle to which all the laws of immunities and privileges of a fighting army exist? I therefore urge upon you not to take the instance that you have before you as any different because we happen to be Indians. Remember that. They were trying to liberate their country. I am not here to espouse the cause of the Provisional Government. I am pleading for men who fought under the orders of their Government for the liberation of their own country. If therefore they were entitled to fight for their own country for the purpose of liberating their country, I am entitled to tell the Court that they are entitled to the privileges of belligerency. One more instance on which there was a certain amount of struggle in proving the facts is the case of the Maquis in France. Remember the facts. At the time when the Maquis were fighting, the *de facto* and the *de jure* Government in France was Marshal Petain's Government and the latter were allied with Germany. The Maquis were fighting in order to release France from their own French Government which was allied with Germany, and what did Eisenhower say? I am going to read that to you because it is a very short document and it is very important. At the time it was apprehended that the Maquis might be dealt with unjustly by the then French Government, because it was the *de jure* Government of the time and would shoot at rebels, very much the same as the Advocate General will later on argue to say about the persons who took part in the Indian National Army. But you have the pronouncement of no less a person as Field Marshal Eisenhower that that shall not be. In other words, if persons with a view to liberate their Government fight against their own Government, they are entitled to the rights of belligerents. That was the reason why I was very anxious that I should be able to prove that statement. Sirs, this is the statement which has been proved and I may incidentally agree to what my learned friend insisted upon that I should put in also the German view of the matter. If he prefers that it is his look out, I do not. I prefer the American and the British view.

‘There is conclusive evidence that the German forces in France are—

(I am obliged to my honourable friend for saying that he does not doubt the authenticity of the source, meaning that it came from General Eisenhower, Of course he insisted that I should put in the second passage and I leave you to judge which of the two you should prefer, with the submission that you should prefer Eisenhower to General Keitel).

'now recruiting members of the French resistance group as France Tireurs and today an announcement issued from SHAEF in the name of General Eisenhower, makes these four points:

1. That the French forces of the interior constitute a combatant force commanded by General Koeniggaud forming an integral part of the Allied Expeditionary Forces.
2. That the French Forces of the interior in the Maquis bear arms openly against the enemy and are instructed to observe the rules of war. They are provided with a distinctive emblem and regarded by General Eisenhower as an Army under his Command.
3. Reprisal against resistance groups violate the rules of war by which Germany is bound'.
This is what I ask you to do: that anything done against the members of the Indian National Army fighting for their freedom according to the rules of war, I submit that any action taken against them is a breach of international law.
4. 'Every effort will be made to trace the authors of any atrocities against members of the forces under General Eisenhower's Command. Steps to this end are already being taken'.

Then the rest reads

'General Eisenhower in a declaration broadcast to the BBC tried to legalise the French partisans as a fighting force'

The question that arose was somewhat delicate from a constitutional point of view, because for the time being the then French Government was still under the thumb of Germany. The people of France for the time being fighting against their Government which was pro-Germany were undoubtedly guilty of fighting against their own Government, but the ground of immunity accorded was that they were fighting alongside the allies for the purpose of freeing France. What is the distinction, I ask, between those who fought on the side of, even if we say Japan, for the purpose of freeing their own country? With very great respect it is difficult to understand any distinction. In other words, if the Maquis were entitled to all the privileges and immunities of a good fighting force for liberating their own country, I cannot see how you can fail to accord a similar treatment to those standing in the position of the Indian National Army.

Then, I read on:

'General Eisenhower in a declaration broadcast by the BBC tried to legalise the French partisans as a fighting force. From responsible circles in the Wilhelmstrasse the following statement has been given out:

'This attempt by the Allied High Command is unjustified. French partisans revolt against the legal French Government and violate the French laws, which enforce capital punishment for such violations.'

Now you are asked solemnly to adopt what the Germans said in a similar situation. With what face could ever such an argument be presented to a British Court.

'The activities of the French partisans do not constitute regular war conduct ...'

(Precisely the kind of argument that is likely to be advanced).

'The activities of the partisans do not constitute a regular war conduct but a malicious system of ambush fighting against the occupation power. Thus the partisans have forfeited the right to be treated as regular troops.'

I submit that the view put forward by General Eisenhower is the more correct of the two. But the other view clearly shows what I have to establish before you in order to claim immunity, namely that it is a regular organised army, fighting according to the laws of war, and not guilty of any personal atrocity beyond and outside merely fighting a regular war, and it is fortunate in this case, the first test of its kind, because the issue is neat. There is not even a charge of any personal atrocity. My submission to the Court is that the British, and I mean no empty compliment, civilized

instinct has recognised that if a struggle for freedom is waged, then if it reaches a stage at which there is an organised Government and an organised army, it must be accorded all the rights, privileges and immunities of a fighting army, and that is what I plead for.

The question which arises under Section 79 of the Indian Penal Code is that by all rules of civilized warfare what you claim for yourself you must accord to your opponents, even though you may have succeeded in defeating them. You are entitled to come to your own conclusion on the merits of the controversy at issue before you. But Government says this:

‘The policy of the Government of India is, however, that only these cases will be brought to trial where there are serious charges, apart from that of waging war against the King.’

As I said, it is not law and in no manner binds you. I must frankly confess that much, because it must not be said that I was trying to take refuge behind any executive statements. But the fact remains that behind that statement is almost a reluctant admission that waging war is in this case not an offence, or at least seriously treated as an offence. That is perfectly obvious, not because waging war *per se* is not an offence, but because in the circumstances of the case, where, with an organised government and an organised army, a war was carried on, then waging that kind of war is not an offence. I am not denying that if ten individuals in India collected arms and began to fight the Government of India, waging war is not or would not be an offence. But what is meant is that waging war, meaning the prosecution of war in the circumstances of the case, namely, of the Indian National Army under the Provisional Government—that is not an offence. But it is a matter which I want to be judged entirely on the merits of the legal and factual submissions which I have made.

The next issue which really, I submit, does not arise, but in as much as I have only one address before this court I must try and anticipate things and answer them,—sometimes it is unjust to one’s self, because one may raise more things than the opponent is likely to think of and I may make a present of an argument to him—but having regard to the rules of this Court, I am obliged to resort to that course—it cannot be helped; otherwise I should have preferred to have a short reply to any new point which may be raised by my learned friend on the other side. The short way to deal with the issue is this: the case which I have cited and the authoritative works which I have quoted to the Court, clearly show that in judging this case, no question of allegiance arises. All insurgents, while they are fighting, are still held by allegiance, and all the books which I have read will be worth nothing if the question of allegiance had been raised—because until you successfully throw it off, the *prima facie* allegiance, if I may so call it, exists; and none the less while it is not successfully thrown off, while it is in that ambulatory stage, the rights of fighting and the rights of war, if it is a properly declared war and a properly conducted war (I will not repeat that qualification again, you will assume it from me that when I talk of the rights of war I am talking of a properly declared war and a properly prosecuted war as to which I have made my submission)—in such a case *ex hypothesi* the allegiance exists. The rebels want to throw off the foreign yoke, and the result is that undoubtedly if the question of allegiance arose or had even arisen, no grant of immunity to insurgents fighting for liberty against the parent State would have even arisen; but the fact remains that notwithstanding the fact of allegiance remaining, the right and freedom to liberate their own country being recognised at the same time, it is given effect to by recognising belligerency; that is to say, when an organised force is fighting under an organised government for its own freedom, while they have not completely succeeded and token allegiance remains, they are still entitled to fight. That is recognised by the law of nations. But should such a question ever be raised by my learned friend—which I submit is irrelevant—I have important submissions to make. First, that on the events which took place at Farrer Park on 17th February, there was no allegiance left and hence it is very important that I try to concentrate my attention on what occurred at that meeting.

The fact, which probably may remain unnoticed, but which was most important, was that the British officers and British other ranks were separated from Indian officers and Indian ranks. It is an extremely important fact to remember, in order to be able to appreciate the events and the occurrences of that day. They having been separated, the Indian officers and ranks, numbering anything between 30,000 to 45,000, were all asked to assemble at Farrer Park—Colonel Hunt made a short statement or speech, saying that he was handing them over on behalf of the British Government to the representative of the Japanese Government, Colonel Fujiwara. Colonel Fujiwara then made a speech in Japanese which, as the evidence now shows, was translated both in English and in Hindustani; and the statement of Colonel. Fujiwara amounted to this—using my own language—that those of the Indian prisoners of war who wanted to join an army for the purpose of liberation of their own country were free to do so, and handed them over to Captain Mohan Singh. Captain Mohan Singh then addressed them saying that he was prepared to organise the Indian National Army for the purpose of fighting for the liberation of India; and we had the evidence—un-contradicted—that he was acclaimed by the whole of the Indian prisoners of war present. I wish even at the risk of repetition to submit that when insurgent fights against the then constituted government to free his own people and his own country from the alien, the question of allegiance does not arise. I want that connection to take the statement of Captain Arshad—it is a most emphatic statement he made.

‘We believed that the only allegiance we owe is allegiance to our country.’ I cannot describe better than in his words the result of that day’s proceedings.

That brings me up to a somewhat difficult subject like the case of any subject people, in particular India. All of you are aware that every charge of treason in England is a charge of working against the King and the country. The last one is the reported case of John Amery. In the situation in which an Indian finds himself, the question is under what circumstances and to what extent this question of allegiance can be raised at all, because once you divide the King from the country, it becomes a very difficult issue altogether for any human being to decide, and hence I would prefer to rest my argument on the occurrences of 17th February. The position of an Indian in a case of this kind is difficult and I am going to submit to the Court on first principles what its true solution is. Where the King and the country coincide there is no question of an alternative. If you fight against the King and also fight against the interest of your own country, the question does not arise, but the question does arise where there is a fight for freedom, and I propose to read passages to show to what extent the world has progressed in the matter of the recognition of human rights. When you are nominally fighting against the King but really fighting to liberate the country, then the point is whether the question of allegiance can arise at all. Unless you sell your own soul, how can you ever say that when you are fighting to liberate your own country, there is some other allegiance which prevents you from so doing. That means that if that happens there is nothing but permanent slavery.

Therefore it is that I submit that in the circumstances of this case a choice was presented by the force of circumstances to those prisoners of war who were surrendered by Britain—I do not say wrongly—because there are reverses in the fortunes of war. Who am I to say whether it is rightly or wrongly done? At the same time you cannot disregard this most important fact that for the time being by reason of the exigencies of the war Britain found itself unable to give any protection to her soldiers to fight for the country and that being so, they found themselves in a very unenviable position. My learned friend may say: ‘you ought to have remained prisoners of war’, and he may argue that they may do anything under the circumstances short of making war. I concede that proposition where allegiance to the King and country coincide, but where the two do not coincide, a different situation arises altogether. My learned friend may say that they were fighting on behalf

of a puppet Government or they allowed themselves to be used as stooges of the Japanese. Even accepting this somewhat unenviable expression of stooges or otherwise the question is one of fact, namely, whether or not it was regular army honestly believing that it is fighting for the freedom of its country. The question of a bad name that may be given has really no relevancy to the legal issue but in as much as a great deal of dirt has been thrown by expressions of this character—puppet Government and puppet army and words to that effect—and the question of the strength of that army may be raised, it is my duty to tell the Court how the evidence stands on record. The evidence that stands on record is that the No. 1 INA was formed and was dissolved in December. I shall forget that for the purpose of this case, because waging war which is the subject of the argument, applies to what you might call INA No. 2. I have attempted to prove and I have established that the INA though small in numbers, was fighting as allies of the Japanese Army and there is no ignominy in admitting that or in doing that, because the objective at that time of both the armies was undoubtedly to free India from Britain. The objective was no more and no less than that of the allies in fighting to free France or Belgium or any other country, and if in that process there was a unified command or a single strategy, you, Sirs, will not say with your knowledge of military affairs that makes one army the stooge of the other. It is a phrase with which my learned friend will not be able to walk away if he uses it, and that is why I want to tie his legs, if I can. If the British and the American Armies fought under the command of General Eisenhower, Britain may not be called the stooge of the Americans, and I hope my learned friend will not descend to the level of calling the INA stooges of the Japanese. The evidence given by Lt Nag is very important from this point of view. He was extremely prolific in the results and he came to prove at the instance of the prosecution that there was a very organised regular army, and that a big war was fought. My submission is that he was hoisted with his own petard. If he proved that a regular war was fought, that is precisely my defence. He was qualified to speak about it. He was legal adviser of the INA and he told this Court in effect—I am quoting his words—that the two armies fought as Allies. Whether the alliance was right or wrong is not before this Court. The only thing that is before this Court is whether or not this army fought as an organised army. My learned friend will not be able to support any allegation that they fought for any other objective except the liberation of India. If an allegation of that kind is made it is false allegation, and we have given a complete lie to it. The prosecution witnesses from beginning to end admitted that the object of the INA was to fight for the liberation of India, and every one, whether volunteer or non-volunteer, willing or unwilling, has admitted that they had no other objective except the liberation of their own country. That being so, my submission to the Court is that in so far as any allegation is made to the contrary it is only put forward as a point of prejudice, and I had to meet it with a view to remove the prejudice, because as I said it is not in human hands to choose your allies under the circumstances which may be forced upon you. And whether you fight with the aid of X, Y or Z for the purpose of liberation of your own country, the fact that Y was otherwise a bad person has got nothing to do with the case. But in all human discussions there is always an argument at a tangent; many human minds confuse the issue, and hence it is that I have attempted to cross-examine, at all events in the briefest possible way, to make this point clear. The point that I tried to bring out was the INA was, though small, a very organised army, inspired by the best of motives, and fought for that purpose, though unsuccessful for the time being. There is one other thing which I ought to have mentioned and I regret I omitted it while I was taking on the first issue. That was with reference to the Minister sent by Japan to the Government of Azad Hind. I ought to have stated earlier, because the point which I have mentioned were proclamation, recognition, declaration of war, followed by possession of territory and also the Minister of the Nippon Government accredited to this Government. The last is not essential, but still in point of fact it was alleged, and I will state

how the facts stand under that head. The fact is that a Minister was sent in fact. No less a person than Mr Sawada of the Foreign Office told the Court that it was decided to send a Minister to the Provisional Government of Azad Hind, while he was the Vice-Foreign Minister and he was competent to speak about their decision, that a Minister in fact was sent. As it happened he came without letters of credit or his credentials, and as if it mattered the whole argument was to show that a Minister ceases to exist because he did not bring the papers. Supposing one of you, Sirs, sent me your agent, and I choose not to demand from him his letter of authority and I accept him, it is a most extraordinary argument that the agent ceases to exist. That is a sort of logic which my learned friend wishes to apply to this case. But a good reason was given founded on diplomatic practice which you should accept. The evidence says that being a Provisional Government in accordance with the dignity of nations, or comity of nations, no credentials are required. In other words, the important point is whether the man came and was recognised by the person for whom he was intended. During the evidence, my learned friend got an answer from one of the witnesses to the effect that the head of the State, Netaji Subhas Chandra Bose, did not receive him. But there is further evidence which really destroys any other points on this question: Thereafter credentials were asked for, the head of the State according to his conception required it, and you have the evidence that credentials were prepared and that they were signed by the Japanese Emperor and were despatched but under the then conditions of war they did not reach. But because the Japanese Minister was duly accredited I submit it is a reinforcing argument in my favour. When he came, the two Governments—meaning the Provisional Government of Azad Hind and the Japanese Government—took a different view of what you may call diplomatic practice, but that does not affect the issue. The sending Government in the end, when so required actually sent letters of credit, and the fact that it reached or did not reach does not affect the issue; at all events it completely cured such defect or deficiency as there was in the procedure. And in point of fact I ask the Court to hold that there was a duly appointed Minister, which is all that arises here. The reason why we brought in the evidence was among other things that the Provisional Government of Azad Hind was a properly organised Government, and accepted, and the acceptance does not require necessarily the sending of an envoy, or an ambassador or a Minister, or whatever the position or the relation between the Governments may be.

What is it that the INA embarked upon in collaboration with the Japanese? According to their agreement which I submit I have proved, any part of Indian territory which may be liberated would be immediately handed over to the INA. If you, as men of affairs, understand things rightly, it is the only thing to do. Where is the question of being an instrument. If, however, there was any instrument, it was the Japanese, because it is they who were assisting in liberating India, with a view that the liberated parts of India would be handed back to the INA. The facts of the case are, that the two proclamations were issued by the representatives of both the Governments—Gen. Kawabe on behalf of Japanese Government, Mr Subhas Chandra Bose on behalf of his Government. You may say nobody fights a philanthropic war. But whether or not it was philanthropic remains to be seen. I can well understand, and I submit it for your consideration, that Japan, as indeed one of the witnesses, said, that the East would be better protected by a free India or that they might have better prospects of trade which is their only means of maintaining their standard of life, which incidentally is also the means of Britain. It was not a philanthropic war at all. So far as the freedom of India was concerned, it was, I submit, the object of that war, and you have it in evidence on oath before the Court. It may well be, I presume it was, that a free India might better be able to assist by means of trade and otherwise to enable the Japanese to maintain their high standard of life. Therefore it is idle, unless people appreciate the true issue for them, to say that unless you conquered territory there can be no other object in assisting in getting its freedom. It is

that idle argument which I wish to meet before this Court. But we are not left to speculation. My learned friend Cross-examined one of the witness. He said, Oh, yes, you are assisting the Indian National Army with a view to attain your Japanese war aims, and he thought he had got away with it. But when we asked what were the war aims, then I am afraid all this Cross-examination fell to the ground. He said it was with a view to assist war aims which was to free India. There may be many who doubt promises in this country but I am not one of them. I am one who looks on the brighter side of life and believe that if India could be freed in that way, why honest men should not believe it, it is difficult to understand. The question before the Court shortly is this. What were the relations between the INA and the Japanese Army. That is the short point. It is a point of prejudice and yet it is my duty in defence of the honour of those whom I am defending and the group to which they belong that they were not the stooges of the Japanese, as cheaply might be said by the opponents. That is the short history of the position of the INA vis-à-vis the Japanese Army.

I was speaking about the quality of allegiance; and I submitted to the Court that in a case of this kind where you have got to administer the law as a matter of justice, equity and good conscience, you may have a case where the country and the King do not coincide and where there is an imposed allegiance on a subject people; and I am not talking merely as a matter of theory. I am going to give you an instance of a case of this kind which has occurred in the days when the British Commonwealth was called the British Empire; and the statement that I wish to read is the Declaration of Independence by the United States of America on the Declaration of war and before they had attained any statehood, as it is called in the case which I have given. I am reading from a book called *Speeches and Documents on Colonial Policy*, edited by Keith and published by the Oxford University Press in London. It is at page 70. It says:

When in the course of human events, it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume, among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitled them, a decent respect to the opinions of mankind required that they should declare the causes which impel them to the separation.

We hold these truths to be self evident that all men are created equal, that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness, and here I would like to point out that the recent pronouncement of Mr Truman and Mr Churchill are to the same effect.

That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organising its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, with dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a sign to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having, in direct object, the establishment of an absolute tyranny over these estates. To prove this; let facts be submitted to a candid world.

(Then they cite the grievance—I will not read them all)

Then the statement says:

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war,—in peace, friends. We, therefore the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare (and this is the point) that these United Colonies are and of right ought to be, Free and Independent States, (and then comes the important sentence)—‘That they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved, and that, as Free and Independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which Independent States may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honour.

Here you have a case in which this quality of allegiance came to a test. They owed allegiance in the familiar sense to the King of England. They owed allegiance to their own country, and they realised that the time had arrived when the question became one of conflict between the allegiance to the King and the allegiance to the country. So that in accepted history, we have got a classical instance of a case where the choice between allegiance to the King and the allegiance to the country was presented to the world, and men of honour chose allegiance to their own country to the imposed allegiance to a foreign king. Therefore, I venture to stand before this Court today with the most classical illustration, the illustration of a race, of a country, that has saved the world today, and in the last war and did marvels in the cause of civilisation; and if that illustration is not going to be respected, I submit justice would be denied completely. I submit that what happened at Farrer Park, by reason of the actual state of events in this country, was perfectly legitimate, and indeed legitimized by what I may call the course of history. Indeed it is amazing how from the year 1776 to today the words are as true as they were then:

‘We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.’

And I commend this to you, Sirs, in order that you in your wisdom will consider it just, if ever any question arises. This declaration took place on the 4th July 1776; and ultimately a war was fought, which resulted in 1781 in establishing what is today the United States of America as an independent republic of the world. I venture to submit this a historical instance, important in its character, valuable as showing the way in which the world has functioned, I want to call attention to the oath of allegiance to the Provisional Government of Azad Hind and its context, for it is important that you should know it.

Indians in East Asia today are no more the subjects of an alien power; they are the proud citizens of the Provisional Government of Azad Hind. To bring this home to the mind of every Indian in Malaya and to rouse our community to a full realization of the responsibilities of the new status, it has been decided to ask each member of the Indian Independence League to take an oath of

allegiance to the Provisional Government of Azad Hind. Detailed directions regarding this have already been sent to all the State branches along with the form of the oath. Each member, on taking the oath, will be given 'oath of allegiance card' and the 'Indian Independence League membership card' he or she now holds will be taken back by the officer administering the oath and destroyed. The privilege of owing allegiance to our government will be extended only to members of the Indian Independence League as any Indian who is not a member of the League cannot be considered as a true Indian. As Netaji said in his speech in Syonan on 25th October 'We will not treat them as Indians or friends'. There is no place for them in India.

What I wish to point out is that in so far as these documents are concerned they evince the same interest as was evinced by those who issued the Proclamation of Independence of the United States of America.

The next point to which I wish to call attention in this context is the law of treason with reference to India. So far as India is concerned, it is a loose expression. The whole of the law on this subject has been codified in the Indian Penal Code and I call attention to Chapter VI of the Indian Penal Code—Offences against the State. There you find codified what is the law of treason in other countries. Section 121 is waging or attempting to wage war against the Queen, 121A is conspiracy to commit offences punishable by 121; 122 is collecting arms; 123 is concealing with intent to facilitate design to wage war; 124 is assaulting Governor-General etc., 124A is sedition; 125 is waging war against any Asiatic power in alliance with the Queen; 126 is committing depredation on territories of a power at peace with the Queen; and 127 is receiving property taken by war or depredation mentioned in Sections 125 and 126; 128 is public servant voluntarily allowing prisoner of State or war to escape; 129 refers to a public servant negligently suffering such prisoner to escape. These are the offences against the State.

My submission to the Court is this. In so far as the question of the law of treason is concerned in this country, my learned friend cannot talk of treason. For what would be called treason in the Common Law of England, my learned friend would have to look to the language of Chapter VI of the Indian Penal Code. In other words my submission to the Court is this—that generally speaking, apart from Section 121, my learned friend will not and has no right to resort to what he calls the principles of treason.

The next point to which I shall call attention is a classic book on the Law of England written in old English. I have got a transcript of it here. It is on page 95:

'When a nation has placed itself under the protection of another that is more powerful, or has even entered into subjection to it with a view to receiving its protection—if the latter does not effectually protect the other in case of need, it is manifest that, by failing in its engagements, it loses all the rights it had acquired by the convention, and that the other being disengaged from the obligation it had contracted, re-enters into the possession of all its rights, and recovers its independence or its liberty. It is to be observed that this takes place even in cases where the protector does not fail in his engagements through a want of good faith but merely through inability. For the weaker nation having submitted only for the sake of obtaining protection—if the other proves unable to fulfil that essential condition, the compact is dissolved—the weaker resumes its right, and may, if it thinks proper, have recourse to a more effectual protection. Thus the Dukes of Austria, who had acquired a right of protection and in some sort a sovereignty over the City of Lucerne, being unwilling or unable to protect it effectually, that city concluded an alliance with the three first cantons; and the Dukes having carried their complaint to the Emperor, the inhabitants of Lucerne replied that they had used the natural right common to all men, by which everyone is permitted to endeavour to procure his own safety when he is abandoned by those who are obliged to grant him assistance.'

This is the law which has been enunciated and accepted in England ever since. This was in 1797.

My submission is that the insurgents are in the position of rebels up to a stage, but a stage is reached where if the State has an organised army it becomes possessed of the right of belligerency, even though they may ultimately fail. The question of allegiance does not arise then, but I would not be surprised if with a view to divert the discussion into a wrong channel any such statement is made.

Before I go further, I wish to make quite clear a point about the prisoners of war. The prisoners of war may submit even to the extent of assisting the enemy—that is passive assistance up to the point of labour. You will find in the same books that they may not actually join the enemy and in this connection I wish to submit to the Court what was the relation of the INA to the Japanese. You belong to the profession of arms and will appreciate what I am submitting to you. I have stated the position as much against myself as possible. I am now assuming that the events which took place at Farrer Park did not take place. I am assuming against myself that they were just prisoners of war. The question still remains what is it that they did. The question arises whether they ever allowed themselves to be used as what I might call tools of the enemy or any other instruments, whatever the phrase used. Having been surrendered as prisoners of war, if the Japanese chose to leave the Indians to secure their liberty—I am willing to agree that it suited them) that by itself does not bring the INA and the accused before us within the prohibition imposed upon the prisoners of war. It is a point that I wish to elaborate up to a stage. I wish to state that there is no obligation whatever which prevents a person who is a prisoner of war from fighting on his own for the liberty of his own country. I submit that my learned friend will not be able to controvert that, and therefore I wish to make it quite plain that the question of the relation between the Japanese Army and the INA, the question of the objective of the Japanese as regards India—these points have got to be re-emphasized before this Court. Unless they are borne in mind, the Court may easily go into a wrong track.

The point is this, I quite agree that the Court or any member of it may say: 'They were fools in believing the Japanese.' That has nothing to do with the case. Other men may have been wiser. The question is whether those who formed the INA did believe in a bona fide manner that they would be able to secure the freedom of the country. If they bona fide believed it, the fact that there are wiser men on earth does not alter the issue so far as the renouncement of the guilt of that army fighting for the liberation of India is concerned. Hence it is that I wish to submit the evidence which I submitted yesterday and a few more passages to which I wish to call attention today is relevant for that purpose. You have it in evidence and it is a matter again in which the question is of one's own belief. The question is not whether that belief was something which probably the Court or any member of it may think was of very credulous people. That has nothing to do with the point. You have it definitely in evidence before this Court, in the evidence of prosecution witnesses, that if any nation or any race or any class came into being to oppose the independence of India, they were prepared to fight that, including the Japanese. That is why I was very anxious to point out that it is only when a story is completely placed up and comes before the Court that its significance can be appreciated. The whole point of it is that the question is not so much as to whether you or I or anybody else would have relied upon it as a promise. From that point of view probably we are a credulous race. We have relied on many promises of others and of Japanese also. But that has nothing to do with the point. The point is that if these people honestly believed, as I say they did, that they were securing the independence of India, then the question of what a prisoner of war cannot do, does not actually arise and will not arise.

In this connection I would like to read the evidence of Nag. The question that I put to him was: 'Do you ever remember attending a meeting in Singapore at which Capt. Mohan Singh told the prisoners of war that if need be they would fight the Japanese in addition to the British?' He said he would fight anybody who stood in his way even it were the Japanese or anybody else. The next is PW 9 Havildar Sucha Singh and this is the passage to which I wish to refer: 'He said that the INA has already been started in Singapore and a good many people had joined it; and the INA will only fight for the freedom of India and for no other cause. If we go to India and the Japanese go with us, we are equipped with arms, and we will fight the Japanese if they turn round against us. This is a golden chance for us and we may not get such a chance again.' The next witness is PW 18. He said, 'After I was posted to Bose Brigade, Captain Shah Nawaz Khan delivered a lecture which I heard. He said that the Bose Brigade which was formed was to go first of all to the front, and this Brigade is composed of picked officers and men.' And then the passage goes on: 'He also said that if and when we fight with our allies the Japanese nation, it should not happen that we remain as second rate in the fight and thus disgrace our nation. We reach India, we shall meet Indian men and women, and those who are elders to us we should consider them as mothers and those who are younger we should consider them as our daughters and sisters and if anybody will not obey these instructions he will be shot dead; and if and when India is freed and the Japanese who are now helping us tried to subdue us, we shall even fight them. He also said that even now if a Japanese gives you one slap, you should give him three in return, because our Government is parallel to their Japanese Government, and we are in no way subservient to them, and that when we reach India, if we notice any Japanese maltreating an Indian lady, he should be first warned by word of mouth not to do so, but if he continued to do so, we were at liberty to use force and even shoot him in order to prevent it, because the fight which we are making now is for the freedom and well-being of India and not for the benefit of Japanese. This lecture was delivered in Taiping.' Then, I come to PW 19. He said: 'I was aware of the declaration of the Provisional Government of Free India. Prior to my joining the INA, I was in a prisoner-of-war camp.' Then I come to the other passage which is relevant for the purpose. 'I knew after joining the army that the sole ambition of the INA was to fight for the freedom of India against any army in the world, but my own idea was not to fight but to escape. By 'any army in the world' is meant also the Japanese.' Then I come to PW 24. He said: 'In August 1943 I was in Neesoon camp. Captain Shah Nawaz came to address the Heavy Gun Battalion there. He said that the INA had been formed for the liberation of India and it would fight not only British Imperialism but also those would put obstacles in the way of India's freedom or any other party which wished to subjugate India'.

I had hitherto avoided reading any evidence because there was no substantial contest as to the facts which have been proved. The record of evidence clearly shows that in so far as the INA was concerned, they acted on their own. No doubt, they accepted the alliance with Japan on promises which they, at all events, honestly and sincerely believed, and if they believed them, I submit there can be no question of any obligation. There are so many matters which have been gone into and which in patience we suffered in the belief that there was no relevancy to the charges before the Court. But now that they are before the Court, I must separate them as best as I can and, while separating them, give answer to every single suggestion that was made or is likely to be made. Hence it is that I am here before the Court to point out that in doing what the INA did, there was no question of any breach of any obligation or the prisoner of war obligations or duties, remembering the extreme obligation, which I submit, I have stated as strongly against myself as it is possible to do.

The next point to which I wish to call attention is this. In addition, there is the evidence of the last witness, PW 12, and that sets out more or less fully the point of view of those who honestly believed in doing what they did. I am not saying that the Court is not called upon to examine the matter in its own light. At the same time, the Court has got to see not so much what any individual member might have done as that whether you believe what they said before this Court and that was their object.

This witness said: 'My reasons for joining the INA were many. I admit that it was difficult question to decide whether I should join the INA or not, because there were many factors which I had to consider. It was a momentous decision. Uptil that time I was not greatly interested in politics or the political welfare of Indians because I was educated that way, and moreover when I joined the Indian Army in 1936 I felt that politics was not encouraged in the Indian Army and hence I stayed away, but when the question of INA arose and we had to decide whether we should join it or not, I had to think deep, but it was such a big question that I could not make a decision myself.'

The reason why I am reading to the Court is this. He was a witness of truth and the very fact that they had a conflict in their minds is illustrative of the extreme bona fides of the men who chose to take the course which they did. Hence it is that I shall read a few more lines of that evidence: 'I remember sometime in the beginning of July 1942, when we were being asked whether we were going to volunteer for the INA or not, I was staying at Mount Pleasant, Singapore, where Capt. Mohan Singh had his headquarters. I know Capt. Sahgal for the last 12 or 13 years; we were in College together and we were friends there. I felt that if I had a discussion with him along with a few other officers, we may come to some decision regarding volunteering for the INA. So in the beginning of July, he and two or three other officers came to my bungalow at Mount Pleasant and we went through this question of joining the INA. We discussed all the pros and cons. We unanimously decided that under the circumstances we all owed our allegiance to our country.

'We also felt and agreed upon that so far concerning our career in the Indian Army, there had been distinctions between the British officers and the Indian commissioned officers. The Indian commissioned officers had not been treated as well as our English comrades or brother officers. We also felt that if the senior officers present in Singapore or in Malaya did not join the INA, it was quite possible that the Japanese would exploit the Indian prisoners of war, because then the Indian prisoners of war would be split up into small groups. Some people would join and some would not, and the Japanese would take advantage of that and enroll people from amongst the prisoners of war who would be willing to do any service for them. We felt that, that would be a disgrace to Indians. We agree that if the senior officers joined the INA and formed a strong party and organised the INA as a regular army and fought the Japanese on every point regarding the army, we would have a far stronger position with the Japanese than otherwise. We also felt that if we created an army of our own, we may be able to establish a certain amount of standing with the Japanese, and by doing that we may be able to stop the Japanese from committing any atrocities on the Indians in Malaya. We had seen what the Japanese were doing to the Chinese, Anglo-Indians and the Malaysians. They were not treating them very well. Certain atrocities had been committed on the Chinese and also on the Eurasian community, and we thought that if the Indians refused to join the INA it was quite possible that the whole of the Indian community in Singapore or in Malaya might suffer. So we had a discussion on all these points. But then arose the question that if we did join the INA, what would be the reaction of our people in India?'

My suggestion to the Court is this, that apart from the process, the thought which the last witness brought to bear upon it and the discussions which he had with other people, clearly show

that they did not take the steps either dishonestly or hastily. They took this step after taking into account the whole of the situation in existence at that time, and the future as they saw it.

And if that is the condition in which they did it, I ask the Court to hold that they honestly believed in the propriety of the step they took and the justice of the cause for which they took it. And hence it is that I wish to point out to the Court that it was not a case, as the text-books say, of a prisoner of war joining the enemy in order to fight his battle. That, I quite agree, according to the text-books he may not do. But where a prisoner of war already released, as I have told you earlier, finds himself in the situation in which he did and then fights for himself and for his own country, being prepared to fight against the Japanese themselves if they ever became untrue to them, in such circumstances, I submit, there was no question and there could be no question of the INA being guilty and of those who joined that army being guilty of any act which may be regarded as contrary even to what you may call the code of duties imposed upon a prisoner of war. I have already submitted and at the risk of repetition I will say, that it is entirely irrelevant and there is no such thing as a charge against these men before you of a breach of duty as prisoners of war. In fact there is no such charge in Indian Penal Code, so far as I can see. There may be a charge under the INA but no such charge is at present before you. There is not even a charge of desertion and indeed there cannot be, for when the prisoners of war were surrendered there was no occasion for desertion. So let us not be carried away by what you may call the popular language of desertion, breach of duty and all the rest of it. Let us concentrate, and I ask the Court to do so on the charge on which the accused are on trial before the Court, and on that only. The rest is a matter of prejudice; and if one has a complete answer even on a matter of prejudice, it is a matter of satisfaction. It is a matter which I understand—and I appreciate—that tribunals of this kind are likely to take account of, namely, that general bona-fide, honesty and integrity all goes to the credit of individuals who are on trial as so much in their favour.

Then, Sirs, there is one piece of evidence in so far as this particular matter is concerned, a piece of evidence of extreme importance, and that is how the first INA broke up. As to how it broke up you have evidence before the Court and it is unanimous as to the reasons for which that event occurred. Rash Behari Bose was for many years in Japan and he was too easily inclined—to put it most mildly—to believe in the Japanese. Mohan Singh on the other hand was very cautious. Mohan Singh in fact has himself evinced by his conduct that should anything happen to him, that is to say, if he is arrested or removed, the army should be dissolved. And the real reason is this, that while on the one hand Mohan Singh was anxious that there should be an army formed for the liberation of India, at the same time he was equally anxious that the army should not serve as a mere instrument of Japan. And it is because he had his suspicions, is because—of the Resolutions in the Bangkok Conference with regard to making clear the aims of the Japanese for the purpose of fighting the war so far as India was concerned—that Mohan Singh began to lose faith in the promises of the Japanese. And as soon as the Japanese realised that through the agency of Rash Behari Bose—and you have picturesque evidence here—Rash Behari Bose came along, collected all the senior officers and declared that Mohan Singh had been removed. I could not quite appreciate, with all the thought I devoted to it, the point that my learned friend made or attempted to make as to whether he was actually removed by Rash Behari Bose or by the Japanese. For my own part I do not mind the suggestion that my learned friend made that the Japanese arrested him. That is precisely the point, that the first INA was at a stage at which was a trial of strength between those Indian nationals who were members of the INA and the Japanese. Later on when the Japanese realised that the INA and those who were likely or wanting to join it were not prepared to become tools in their hand, that there was a break, and hence when you come to the second INA, when Subhas Chandra Bose took command of the INA, the second time you find an

association between the two armies, may be very unwilling on the part of the Japanese. Very often one has to make a choice when one finds a strong man on the outside: and hence it is that I wish to insist before this Court that throughout the dealings between the INA and the head of the Provisional Government of Free India at this time, the position taken up by them was not of an instrument of the Japanese, but a body formed with the object of liberating themselves, no doubt getting all the assistance that they could from the Japanese as an allied army. And that, I submit, is the key to the bona-fide of the men, the belief of every individual man who at all events thinkingly—if I may use that expression—joined the INA. I daresay it often happens in the world that once you find a thinking and leading man taking a course, other people bona fide believe it to be the true course and join it. Therefore, I submit there is ample evidence on record, evidence emanating from witnesses which in ordinary courts and tribunals is the best to be relied upon by the defence, evidence from prosecution witnesses, not all willingly given, that they fought their own ground, they fought their own cause, and therefore there was no question whatsoever of their breaking any duties which they owed as prisoners of war. But you have to remember all the time and again and again that there is no such charge in the trial before you. There are only two charges before you which I need not repeat. But I want to be quite careful because it will be my duty to deal with the material, lest it might be suggested that I did not deal with it, and I wish to point out its relevancy and its significance to the extent to which these points bear on the conduct of the men on trial before you. I have no desire to shirk an inquiry; in fact I am here as far as I can—apart from any questions of private opinions on political issues—to impress upon you the truth, integrity and sincerity of men, which after all is a bigger asset sometimes than the legal-technical issue. There is also the evidence of Lt Col Loganathan, DW 7 with reference to the question; and I am obliged to refer to it particularly because of the pamphlet called ‘Our Struggle’ which was placed before you. There is just one point which I must make before I read the evidence, that all that is proved is that the pamphlet was issued. But I hope and trust that my learned friend will not suggest that the mere fact that a pamphlet is issued, that by itself proves the truth of the statements made therein. Let me therefore begin by saying that I am not obliged to explain why Rash Behari Bose said what he did. It will be an error on the part of the Court to say that because Rash Behari Bose said something about Mohan Singh, therefore it is true. At the same time I wish to call attention to this evidence and Rash Behari Bose stood, with a view to pointing out that any allegations emanating from the disappointed Rash Behari Bose at that time are not to be taken as words of truth. Secondly, in any case an allegation made by A against B, neither of whom has appeared in Court as a witness, is proof of the allegation made by him.

With this observation I now call attention to the evidence of DW 7 (Lt Col Loganathan).

‘I know Captain Mohan Singh. When I joined the Indian National Army he was GOC. The relations between Captain Mohan Singh and Rash Behari Bose were not very happy. Of my own personal knowledge I know that Rash Behari Bose, having lived so long with the Japanese, was inclined to be guided and controlled by them. Whereas Mohan Singh said he felt that the Japanese should be dealt with a firmer hand than what Rash Behari would be able to do.’

I then to DW 12 (Captain Arshad). The passage to which I call attention is this:

‘I was in the first Indian National Army Headquarters, then as General Staff Officer in G. Branch. The first INA was dissolved in December 1942. The INA had been raised after the Bangkok resolutions were forwarded for ratification to the Japanese Government. The Bangkok resolutions were the result of a Conference held in Bangkok in June. There were many resolutions in that and they were passed by the Conference and then sent to the Japanese Government for ratification, and we hoped that the ratification would come quickly; but as the days went by Captain Mohan Singh, who was then GOC of the Indian National Army, felt that the Japanese were delaying the

ratification of the Bangkok resolutions and he asked the Japanese liaison body which was attached to us, called the Iwakuru Kikan to expedite the ratification of the resolutions. They were not very clear in their replies. They tried to delay them as much as possible. I was present. Captain Mohan Singh kept his headquarters informed of all the correspondence and the arguments which he was having with the Japanese. Captain Mohan Singh told us his doubts of the intentions of the Japanese. He said that he noticed that the Japanese were not playing the game, and he said that if the Japanese continued with that attitude of theirs he would dissolve the INA, and we all agreed with him because we felt that unless and until there was a clear understanding between the INA and the Japanese we would not continue the INA. Besides that, there was another main point of dissension between the Japanese and Captain Mohan Singh. At the Farrer Park meeting the Japanese had handed over all the Indian prisoners of war to Captain Mohan Singh. Until that time the members of the INA as well as those prisoners of war who had not joined the INA were under the command of Captain Mohan Singh. But in December the Japanese wanted to take those people away from Captain Mohan Singh who had not joined the INA. Mohan Singh felt that the Japanese were not keeping to their word and he refused to part with the prisoners of war. These main reasons as well as the other minor reasons forced us to dissolve the INA.

And, Sir, the Bangkok Resolution No. 13 which is referred to, reads thus:

‘(13) Resolved that the INA shall be made use of only:

- (a) For operations against the British or other Foreign Powers in India.
- (b) For the purpose of securing and safeguarding Indian National Independence, and
- (c) For such other purpose as may assist the achievement of the object, viz. Indian Independence.’

Lt Nag (PW 1) refers to the same subject in these terms: ‘Capt. Mohan Singh left written instructions that if he was arrested, the INA should be dissolved. “In the event of my arrest the INA will be dissolved and all the INA badges of rank and records will be destroyed.” There is a general feeling from the beginning that the INA should not be subordinated to the Japanese and that we would not allow it to be subordinated to the Japanese. There was no question of dissolving it at any time during those days. The predominant motive was to free India for the sake of Indians.

‘After the 2nd INA was formed the same feeling was there, until Subhas Chandra Bose arrived in July 1943. After that everybody thought that they had got a leader who could guide them on proper lines without being subordinated to the Japanese. Thereafter the two armies fought as allies, i.e. the Indian National Army and the Japanese.’

This, Sir, is the evidence which has been placed before this Court. As I said, my submission before the Court is that it was when the INA, which was formed on the second occasion, felt confident that they would not be subordinated to the Japanese that they really fought as Allies. And hence it is that I submit in the Court that in so far as relations between the INA and the Japanese Army were concerned, it has been established by evidence that they were of the character which I claim for them, namely as allies. So far as the INA was concerned, it was actuated by only one motive and one business, and that was to secure the freedom of India. That is the issue, which as I have said, does not actually arise, but which was bearing on the integrity of purpose of those who are on trial as members of the Indian National Army.

Then the next point to which I wish to call attention is the evidence before the Court that the INA was completely officered by Indian officers. True, an attempt was made by my learned friend in Cross-examination as to the question of the High Command. I do not deny for a moment, though I do not understand or profess to understand very much the organisation of armies when they fight together for apparently the same purpose in any case, but knowing what you do about the last but one war and the last war, when any question arises of unified command it serves very little purpose to suggest that in so far as the higher strategy is concerned, it was no doubt in the

hands of the Japanese. No doubt probably they claimed at all events that they understood the art of war better, and that after all the INA consisted of men of not that standing. But apart from accepting better judgment on what should be the proper strategy, when it comes to the question of internal administration of the INA, it has been amply proved before the Court that the INA was entirely independent in its composition, including every officer. The evidence of Lt Nag is in these terms:

‘The whole of the Indian National Army was trained by Indian Officers and not by the Japanese. It was entirely and throughout officered by Indian officers and not by Japanese officers.

The colours of the Indian Army were the Indian National Congress colours, i.e. saffron, white and green. Their badges were distinct from the Japanese badges.’

And then he answered other questions which are immaterial, namely that among the colours in the middle of one of the badges there was a brown star and it was resented by the personnel of the INA as it might be mistaken for the rising sun.

PW 19 gave the following evidence:

‘So far as I am concerned, I took instructions from our own Indian officers only and not from the Japanese. As far as I am aware, there were no Japanese in command in our area or otherwise in the INA. I was Assistant to Lt Abdur Rehman who was left in charge of the rations at Falam. There was a long carry on 48 miles for rations. The rations consisted of rice, salt, oil and sugar. Sugar was very scarce. The rations were very short consisting of rice, salt and a little oil. The Indian National Army was fighting under great hardship on that front. Whilst I was in the INA, I carried out my duties faithfully.’

The next point which I wish to make is that apart from what you may call the general higher strategy, the Indian National Army was completely independent. And though I am not anticipating a point which it will be my duty to argue, namely whether or not the question arose that people joined the INA because they might be worse off as prisoners of war, the less said about it the better. The evidence clearly shows that the only ration that the INA had, apart from sugar and oil which was nominal, was rice, and that was the luxury which attracted men to the INA, my learned friend will consider twice over before trying any such argument. The question really is that one set of men believed in a cause and the other set of men either from supineness or otherwise did not, and nobody ever gave thought to the question as to whether one would be better off or not. One thing is quite certain: that apart from what actually happened by the conduct of the Japanese, those who joined the INA were certainly facing the possibilities which every soldier has to face, unless he wishes to avoid it, which prisoners of war could, namely fighting with the opponent army. And, therefore, my submission to the Court is that this idea of contrasting the comforts of the INA and the comforts of the prisoners of war under the Japanese, is entirely overdone. It is entirely a question as to what points of view appealed to one or the other sets of men, and therefore, Sir, my submission is that in so far as that is concerned, we have now been able to place before the Court the actual evidence on the question.

The next point is that the INA was a purely voluntary army, and notwithstanding the attempt made, the Prosecution entirely failed to prove that it was not voluntary, because from time to time it has been proved before this Court by the speeches made by the accused and Sri Subhas Chandra Bose, which indicate that at every stage opportunity was given to every member of the INA to withdraw if he chose to do so. But the strongest evidence is this: It is common ground, apart from actual principles which have not been accurately proved, that only a portion of the volunteers could be armed, equipped and trained, because of the paucity of material, and that there was a large number of people who could not be trained and could not be armed for want of resources—what is called the surplus volunteers. But I put it to you, Sir, as men of commonsense that it would

require very much effort on the part of my learned friend to say that when they had more than enough men already, that they coerced more people to join the INA. Or, in the language of Lord Shaw, I think it is a statement that stultifies itself because it is stated that 'we have enough men and we can not arm them', and yet it is alleged that you go on coercing people to join. I think it is a folly of which no decent human being would be guilty if he had a grain of commonsense. What has actually happened is that people have been punished for crimes of their own, and in order to appear glorious before this Court, they attributed it to pressure by the INA. It is very clever half-truth, which is not uncommon.

You get a fact which occurred. Then in order to appear virtuous he would say that he was punished to be coerced to join the INA. A more ludicrous story could not have been presented to the Court, because in one case the witness admitted the reason why that took place. They were sent to the detention camp. Having been sent there, they were asked to surrender their ring leaders. When they did not, ten people came and there was a free fight—300 on one side and 10 on the other. And for the Government to put forward this sort of half-baked story in order that the Court may swallow it passes one's understanding.

This is Lt Nag: 'I heard Subhas Chandra Bose state at a meeting held soon after the meeting of the 21st October 1943 that anyone who wished to leave the INA was permitted so to do.'

PW 5: 'Prior to my arrival at Port Dixon in Kuala Lumpur—at that time I was in the custody of the Japanese—the bad conditions were due to the Japanese. In January-February 1943 I saw Capt. Shah Nawaz for the first time when he came to collect volunteers. I am quite clear that Capt. Shah Nawaz Khan left it open to everybody to join the INA or not as they chose. I remember that he wanted staunch men who were prepared to lay down their lives for the freedom of India. I never saw Capt. Shah Nawaz after that lecture.'

PW 24: 'I reached Popa on the 25th or 26th February. Col Sahgal said at Popa that those who did not wish to stay in the INA and wished to go over to the enemy should tell him today. He will then make arrangements to send them in one party to the enemy, but they will not be permitted to take any arms or papers with them, "I do not want that men should desert in driblets." As far as I understand it was Sahgal's intention that after the party went over, men should not go over in driblets and so cause demoralization.'

DW 6: 'The recruitment was absolutely voluntary. We had surplus volunteers whom we could not train or arm.'

DW 7: 'The Indian National Army was purely voluntary. As far as I am aware no coercive methods were used in recruiting. I am aware as a member of the Provisional Government that we declared war on Britain and America.'

Then, Sir, there is one more statement referring to Capt. Dhillon, to which I wish to call attention. My submission to the Court is that in so far as the accused before the Court are concerned, they by their open speeches gave everybody to understand that it was entirely their own choice whether to join the INA or not.

That brings me next to the evidence about the alleged coercion for the purpose of compelling men or inducing men to join the INA. The position, Sir, is this with reference to that. At the time when the question arose as to the admissibility of the evidence, it was candidly stated by the Advocate-General that he did not rely on Sec. 10 but the way in which it is sought to make it relevant is that. He said that the accused did not participate in it, did not do it, did not encourage it. But that they knew about it.

The matter did not rest there. When they asked other people to join the INA, they gave a veiled threat: 'Remember if you do not join, what hardships exist'. And the matter was further strained before this Court by saying—meaning thereby among other things—that there would be

personal coercion. It was on that statement that this honourable Court was pleased to admit the evidence. The attempt was made to show that the accused made this veiled suggestion. That attempt has completely failed because Capt. Dhargalkar who was called to give evidence in support of this, fell through. I shall read that part of his evidence to show that he completely collapsed in what he came to prove. He came to prove that the three accused, or some of them, went with the other officers. He came to support what the Advocate General was instructed to put forward, namely, that he was given the alleged veiled threat. When we came to cross-examine Capt. Dhargalkar, he said: 'I was never asked by anybody. I was never addressed by anybody' and the more significant thing is, he ended by saying: 'I cannot state to the Court who said what to anyone.' The net result of his evidence amounts to this that the Government having undertaken to this Court to prove that the veiled threat was given in that form, and that meant evidence possibly relevant in the eyes of the Court, the evidence was allowed to be given. But in the light of the evidence of Capt. Dhargalkar, there is none in which any allegation of a veiled threat exists. I therefore ask the Court to hold that evidence as completely irrelevant because it was admitted on this provisional promise, namely, that it would be proved that there was a veiled threat given by the accused, because there is no other way in which it could be made relevant. There is no charge against the accused of any personal cruelty of any kind. There was no charge that they encouraged it, and the mere fact that they had knowledge would not be anything—even that they have failed to prove. When I pointed out that mere knowledge was not enough, my learned friend added a further point, which I presume induced the Court to allow that and that is when they used the words which they are alleged to have used—'If you do not join remember the hardship'—meaning thereby that in as much as they knew that wrong methods were being adopted, they threatened the men by saying wrong methods would be adopted in their case. That I submit is the only process of reasoning by which he attempted to make his evidence relevant. My learned friend has completely failed to establish either the knowledge or alleged threat, and for these reasons, Sirs, I submit that this evidence should now be excluded, and I have prepared a petition so that it may remain on record for my submission.

The learned Judge Advocate told the Court on the occasion of the question of admission of the evidence:

The learned Advocate-General really bases his case on the speeches of the accused which he will prove showing, as he says, that the accused referred to the hardships which would be inflicted on prisoners of war unless they joined, and thereby implying that they had knowledge of the methods by which he alleges that recruiting for the INA was being carried on.

At the same time, now we have arrived at a stage when I respectfully ask that the Court should rule that, that evidence should be entirely disregarded, because there is no proof of the promise on which that evidence was submitted. That is the formal application I make to the Court.

Judge Advocate: Do you mean that you are asking us to make a decision on this now?

Counsel for Defence: On this point.

Judge Advocate: I am afraid it is not at all the procedure to make piece-meal decisions on parts of the case, without hearing the learned Advocate-General and without hearing me. That decision will be made in due course, but I must ask the Court that they should go on now without making any piece-meal decision at this present stage.

Sri Desai: I shall leave it at that. I thought that I would save the Court, and perhaps incidentally myself, the necessity of having to go through that evidence, to show how utterly useless it is. But that being the view of the Court, I will not pursue it.

That brings me to the next question. My submission is that the basis on which that evidence was admitted has completely disappeared; and in as much as it has disappeared it should not be taken into consideration in this case at all.

The only reason why I thought it my duty to call the attention of the Court at this stage was that you might have to go through the evidence and think if it is relevant.

The first witness, to whose evidence I think it necessary to call the attention of the Court, is Capt. Dhargalkar. This is what Captail Dhargalkar said in his Cross-examination in chief:

‘I do not remember Lt Dhillon being there, but I remember Capt. Shah Nawaz Khan and Capt. Sahgal coming there. I recognise both these officers as accused before the Court. Neither of the two accused ever spoke to me, but discussions usually took place and nearly all the discussions were concerned with our joining the INA. I was present at these discussions. It is very difficult for me to quote the exact words which Capt. Sahgal and Capt. Shah Nawaz Khan said, but the gist of the thing was: ‘Why don’t you all join the INA rather than waste yourselves living under these conditions.’

That is really the whole point. Let me examine whether the promise is fulfilled even in the examination in chief. If ‘conditions’ merely meant conditions as prisoners of war, whether for the time being under the INA or the Japanese, that is not a matter of charging the accused. But I suppose my learned friend will use the word ‘conditions’ to mean almost anything, meaning thereby that ‘some people did something to somebody else and that will be your condition’. I submit it does not carry the matter far enough.

I would then call attention to the cross-examination of this witness. He says:

‘I saw all the three accused on several occasions. I saw them anything between 20 to 50 times. I only spoke to Capt. Sahgal a couple of times; I do not remember having spoken to Capt. Shah Nawaz Khan or Lt Dhillon. I spoke to Capt. Sahgal in Col Bhonsle’s house. I cannot remember any other occasion. I was present at fifteen occasions at which discussions took place. Capt. Shah Nawaz may have been present about twice and Capt. Sahgal was present about the same number of times. This was in a separation camp at Bidadari. There was one huge camp at Bidadari and also a separation camp. I was in the separation camp. The whole of the Bidadari Camp was the Indian National Army camp. We were taken there by Capt. Mohan Singh. There were about sixteen of us living in the room. I did not take part in the discussion nor was I addressed by Capt. Shah Nawaz or Capt. Sahgal. That is all that happened during the discussion.’

Then he goes on to say:

‘Capt. Shah Nawaz Khan came there, but I do not know whether he came to see Capt. Sher Dil Khan. I was not invited to a discussion. I was living in the room and I overheard certain conversation. I cannot remember the words of these discussions accurately but I remember the gist of them. The gist of the conversation included many other subjects other than the Indian National Army. I was addressed but not by any of the officers present there. Capt. Shah Nawaz Khan was speaking to 16 other people. The first of his conversation was: ‘Why do you not join the Indian National Army?’ I remember that occasion to the best of my knowledge. It may have been any time in that month. I cannot remember all that he said. I cannot say exactly what he said.’

(You will see, Sir, a change in the gist. There was no question of what consequences would follow).

‘I cannot remember exactly what he said. I cannot single out from the others what Shah Nawaz Khan said. My answer is the same with regard to Capt. Sahgal. What I told the Court is the general impression without knowing who said what.’

This is the evidence of Capt. Dhargalkar, and I respectfully and emphatically submit to the Court that the premise on which that evidence was admitted remains unfulfilled; and in as much as it remains unfulfilled, my submission is that the evidence should be disregarded completely.

Now, with that submission and in view of the record, it is my duty very briefly to examine the evidence which has actually been given, and I will preface the examination with this remark. This is a case where in some instances what is called a half-truth implies an untruth: e.g. there was a detention camp where people were taken if they were guilty of acts of insubordination or any other act contrary to the discipline of an army. Having been taken there, there was no doubt a certain amount of tasks and fatigues they were asked to do. That is perfectly true, but that having been done, the man wants to make a martyrdom of it. I will tell you why. He says he was taken there and he was asked to join the INA. It is all, I submit, embroidery of the case, and I will ask the Court to examine that evidence in that light, and in one or two instances I shall be able to show that reluctantly he almost admitted the case I put to him, that he was sent there because he was guilty of insubordination. People very picturesquely said they were asked to pick up one end of a pole and every time a man followed them or hit them—I think the very exaggeration defeated its own purpose. I do not think any Court will believe such an absurd story. True, he was taken there and no doubt he had to do a certain amount of fatigue. No doubt it may be that a non-commissioned officer thought it was below his dignity to pick up things which were necessary. In fact you might remember with what amount of reluctance the witnesses gave the kind of evidence before the Court—I would recall a picture of one of the witnesses when I told him that this was only for the purpose of manure and there was the evidence of a garden—it almost taxed one's patience to be able to get out of him that evidence, and get him to admit those facts; and even then he kept on saying 'Oh, there was a road there and in between there was something and if you call it a garden it is wrong and so on'. The fact remains that the witness was taken there for some act of insubordination; he was put to a certain amount of task, but then in order to glorify himself as a martyr, he now comes forward before this Court and says 'I was taken there because I did not join the INA'. And when I cross-examine him as to what particular position he held with particular distinction, and what distinguished career he had, and he ultimately collapses and admits he was an ordinary soldier. To think therefore that stories of this kind would pass muster before a Court composed of men of affairs and experience, I submit, will not do.

I call attention first to Wolit Bahadur, PW 14. The kind of picture he gave—this method of carrying baskets at the end of a pole—I do not suppose it is any great innovation of torture, unknown in India. The way in which he described it, and if he was not giving evidence before men of experience in this country, was almost insulting to one's intelligence. After all it is a common method of carrying a load on bars with a man at each end; and if he objects to carrying a load like that I am very sorry for him; but I am afraid he has to labour, and if he has to work, he has to work; and the more we learn to do manual labour, I think, the better for men of my country.

And then he said—it was a ridiculous story—he carried out the order and picked up the cow-dung. There came a road. There were six men who stood just for the purpose of giving a stroke as he lifted the load. That I submit defeats itself. In Cross-examination—that is where I wish to call attention to a few passages—this is what he says: 'He said that we had now fallen from the English into the Japanese hands and we have to carry out their orders and do their fatigues. He told us that the British had run away and left us there. He said that our home was in India and we have to join with other Indians to fight for India. He also said that for this reason we should join the INA. He also said that the INA was being formed to set India free. He said that for this reason we should join the INA. About one or two men said that they did not know anything about the INA and they were not going to join it. At that time we did not know what this INA was. I know Jamadar Til

Bahadur Adhikari.' This is a very important thing. They are the people who are said to have come in this party to attack this gentleman and his friends in order that they may be coerced to join the INA. It would be fortunate if one can think a little in advance. He admitted that every single one of them who took part in this raid to induce this gentleman and his friends to join the INA were all men respected in their regiment and respected in the parts of the country from which they came. If he had only realised what it involved, he would probably not have admitted it. 'I came to know that the INA was being formed. I know Jamadar Til Bahadur Adhikari. Jamadar Puran Singh Khawas was a man who was respected by our unit and so was Jamadar Til Bahadur Adhikari. Jamadar Til Bahadur delivered only one lecture at which I was present. He also told us about the object of the INA which was the same as Puram Singh had told us. When Til Bahadur delivered the lecture there were about 600 men present.' He admitted to me that they were being asked in the ordinary course to join the INA, asked by people whom he admitted to be respectable and the point in asking for the admission is this, that those were among the people who came armed with a view to attack these innocent men in order that they may join the INA I make a present of that kind of story for your acceptance.

Then, Sir, comes in very common parlance the cat out of the bag. 'Those who did not join the INA were required to do fatigues for the Japanese. Those who joined the INA were not required to do fatigues for the Japanese.'

Prosecution Counsel: I am afraid my learned friend is under misapprehension. He gave no names.

Defence Counsel: In his examination in chief he gave the names of the people who formed the party of attackers. It Comes in cross-examination.

Prosecution Counsel: He does not say that these were the people who came to assault him. I know my learned friend put those names to him. No such questions were asked that these were the people who were in the firing party.

Judge Advocate: That certainly was not said, Mr Desai.

Sri Desai: The point of the argument will be perceived, name or no name. 'Those who did not join the INA were required to do fatigue for the Japanese. There was dispute when we refused to do fatigue duties for the Japanese. The leaders whom I have named told us not to object therefore to fatigue. In spite of their persuasion some of us did not obey. We reported that we will do fatigues for the Japanese but we have nothing to do with the INA. The guard was sent because some of us did not obey.' That is the point. The point is that it was not because they were to be persuaded to join the INA that the guard was sent. On his own admission that they did not obey to do the task they were sent on and that destroys the whole of that evidence, name or no name. His whole purpose was that these people came on their own with a view just to educate them, because they would not join the INA. If my learned friend will follow the process of cross-examination and the admission made by Wolit Bahadur I only point out that it was up to the witness to say that they were not in the firing party.

Judge Advocate: It is you here who is in the wrong. You have said that these men were in the firing party, whereas it was pointed out that they were not.

Sri Desai: There is the evidence in chief. I took the names from the summary of evidence. Because of that ruling the names were not allowed to be given. Whether the witness proved or failed to prove that the attack took place, because they would not join the INA that is the true issue, and remembering that to be the true issue, I beg leave to read where I left, and that is this: 'There was dispute when we refused to do fatigue duties for the Japanese. The leaders whom I have named told us not to object to do fatigue. In spite of their persuasion some of us did not obey. We reported that we will do fatigues of the Japanese but we have nothing to do with the INA. The

guard was sent (that is the material point) because some of us did not obey.' You cannot get out of that. In other words the story that the guard was sent with a view to shoot them because they did not join the INA, is entirely destroyed by this evidence. 'The guard was sent because some of us did not obey. The guard came to seize the ring-leaders.' That is precisely my point. I said they were all guilty of one or other offence against discipline, and hence action was taken against them, and this is the best illustration. Of course people get warned: After one man has been cross-examined you may not get the same type of actual admission. But here you have the clearest possible admission, the negation, the complete negation that any attack was made on them, because they did not join the INA. Of course they always repeat like parrots, when it becomes necessary: that is what happens. But occasionally there are lapses. 'The guard was sent because some of us did not obey. The guard came to arrest the ring-leaders. We were about 550 men. Some of the men had a dispute with the guard. The guard stopped us from doing this and then fired in the air.' What possible course forsooth—it was sent for the purpose of asking them to join the INA and they should have fired in the air! The whole point is that these were recalcitrant, disobedient crowd. They were asked to surrender. As a warning they fired in the air. They would not obey. Of course the trouble took place. 'When we did not obey the order of the guard, they fired. The guard did not prevent us from doing fatigue but they spoke to us about INA which we did not obey.' All this rubbish is difficult to understand. 'First they fired in the air, and when we did not obey ultimately they fired at us. About two or three men were injured after the firing. Then we pursued the guard. The dispute between the guard and ourselves was that we resented the appearance of the guard during the lecture time.' I do not know what it means. Whatever that means, they know better. As I said here, it is a complete demolition and the best illustration of how the false is mixed up with the true. There is no doubt that there was a scuffle. That is not denied. But they want to annex the scuffle to something else. That is a piece with all the evidence with which I am familiar. You get hold of a known fact which is not disputed, and then put it on to something else. My submission to the Court is that this evidence alone is sufficient to discredit the kind of evidence the Government has put forward with a view to show that atrocities were inflicted for the purpose of joining the INA. As to the tortures, they were of two kinds. Regarding one, I have got definitely out of the mouth of the witness himself that they objected to the fatigue. They were persuaded not to do it. The very leaders whom they respected, persuaded them not to object to do fatigue. They were again asked to surrender their ring-leaders. These people would not. They fired in the air and ultimately they fired at us. Three people died and there were 550 of them. Such evidence, can my learned friend or any gentleman in his very high position ever place before the Court, name or no name?

Prosecution Counsel: I only corrected a statement which was not justified by the record.

Sri Desai: I admit that I was in the wrong. I say the point of the argument is really this that the witness who came to swear false to the fact that the party was sent armed with a view to fire at them in order to compel them to join the INA, here stands on his own evidence self-condemned. He admits that the purpose was different. The occasion was different, and that disobedience was the only cause. My case is that the cases which they have selected are cases of a similar kind where people undoubtedly were dealt with for breach of discipline, but which they now attribute to a false cause, namely, their refusal to join the INA. The next is the case of Muhammad Hayat. That is the case in which we said that because they killed some cows, a quarrel arose and hence a scuffle. It is true a scuffle took place. The question is—was it with a view to compel them to join the INA. That is where I say they get hold of an admitted event, or more or less admitted event, and annex it to a false cause. He said:

'The Camp Commandant was Captain M.Z. Kyani, who was succeeded by Col Shah Nawaz Khan. I heard Col Shah Nawaz Khan lecturing to the camp. I was not present at the lecture he delivered in the camp, but I was present at the lecture he delivered in the mosque. He said that Sikhs and Hindus have already volunteered, and that the Mussalmans should also join. He said: "Muslims must join the INA because when the Hindus and Sikhs go, they will trouble you in your homes in India." He did not threaten us with force but he said that we ought to join the INA. He did not say that he only wanted sincere men. He said "I will not give any sort of trouble to you, but you should volunteer. I want true volunteers." After Dua Khair, we said that we will not join the INA we meant by that that none of us who were present there had a right to join the INA. There was no charge against the men of my unit of having committed theft of seven cows belonging to civilians, and of having slaughtered and eaten them. I deny that. That charge is a lie and that the cows were eaten is also a lie. I am shown my additional statement in a summary of evidence. I admit that I said in the summary of evidence that Major Aziz Ahmad told us that we were to go to the concentration camp because we had killed a cow.'

That was at the time they were sent. Remember what was the contemporaneous statement made. I want you to remember that. The Court would have no doubt that that was the real cause of the dispute, and that joining the INA or not joining the INA was not the cause.

'No skins or bones were found, and no investigation was made. I never volunteered for the INA. The Bidadari camp was a mixed camp of volunteers and non-volunteers in July 1942. Neesoon camp was also a mixed camp There was no difference in rations for the volunteers and non-volunteers. In July 1942 there was no separate treatment for volunteers in the Bidadari camp. I was carrying on anti-INA propaganda. There was no charge against me of killing or stealing a cow when I was removed from the Bidadari camp to the concentration camp. Aziz Ahmad never told us that we were being sent to the concentration camp because we had killed a cow. I am again shown my statement in the summary of evidence. I signed my statement. It was read over to me. I made this statement about Major Aziz Ahmad having told us that we were all to go to the concentration camp because we had killed a cow.'

In other words, at the time when he was taken, it was proved from his own mouth that he was definitely told that the reason for his being sent was the killing of the cow.

'On the day I went to the concentration camp there were approximately 60 or 70 men there I said that after two or three days men of my unit went away from the concentration camp. I and 11 other men were kept there. After our people went away, there were approximately 60 or 70 people left. They were all non-volunteers. I am talking of the month of July 1942.'

Then comes the most tell-tale thing which any man of common-sense will understand:

'I was released from the concentration camp after 21 days because I had become very weak.'

The whole point is this. Any man reading between the lines will be able to see that these people were taken to the concentration camp because they were charged with having stolen and killed a cow. He himself admits that it was a charge made at the time. Major Aziz Ahmad said 'You have to go to the camp, because this is the charge against you'. After investigation, he was released after 21 days. Is that the real story, or what he now says is the real story? I do not know does not, show that they were oppressed or coerced to join the INA.

There is one ordinary canon of reasoning and common sense. Is the Court to accept the story he said at that time or is it to accept the story told now? I submit that at that time nobody imagined that anybody was going to make any thing out of this incident for the trial against some people in future. The question is, which of the two stories is likely to be true, and I respectfully submit to the Court that there can be only one conclusion. The story he told then is the true story, and not the story he tells now. That is my submission with respect to this witness.

The next witness I take is Ahmad Nawaz, PW 10. Every man has to undergo some sort of punishment for an offence. This witness is taking the story as it occurred, and adding to it so as to make out that what was done to him was a punishment to induce him to join the INA. The only grievance of this gentleman is that he was asked to carry cow-dung. It was not after all such a serious punishment as he tried to make out. When I asked him whether he was asked to mix cow-dung with soda-ash, he said that in his part of the country they did not do so. Time has not yet come in this country for the use of every kind of mineral manure, of any other kind of manure except cow-dung. I asked him whether it was not intended to be used for the purpose of manuring the garden, and it took a very long time before we could get anything at all from this witness. The demeanour of this witness, and his behaviour to the Court stands condemned.

I am now reading part of the cross-examination:

‘I do not know what the cow dung was taken for. I only know we were made to take it as a punishment. We stacked the cow-dung near a road in the camp and on both sides of the road was the garden. We were never told to powder the cow-dung for manure. It is correct that I said that we mixed ash with the cow-dung but I do not know for what purpose it was used. I only did it as a punishment.’

To this man every thing is a punishment. When this gentleman was asked to mix some soda-ash with cow dung for manure, he thinks it is by way of punishment. He is indignant when he is asked to do something and thinks he was asked to do it as a punishment. He says:

‘As a farmer, in our own home, we only use cow-dung as manure and we do not mix ash with it. Only for three hours on the first day I did this work of carrying cow-dung and stacking it near the garden. It was stacked at a distance of about 10 to 12 yards from the garden. For the remaining five days we were digging and levelling earth and preparing garden plots.’

When you come to analyse the facts, the indignity of this witness comes to nothing. He was asked to do the ordinary work of preparing garden beds for the vegetable garden and mixing some manure. So far as the morning is concerned, it only lasted three hours of his life time. If this is what is called a strucity, I submit to the Court, it is a ridiculous type of strucity. A man is asked to make beds in a garden and prepare some manure, and he imagines it to be a punishment. He may think so but it is for the Court to say whether it is so. Does the Court believe that it was an ordinary piece of work, or it was an oppression, coercive methods, and I do not know what other language is used to describe it. Is it a torture to prepare beds and to prepare manure? I submit with great respect it is a ridiculous kind of evidence which is put forward as an item of torture, and for what purpose?—for the purpose of making this gentleman join the INA! Does this stand to reason and common sense? I submit with great respect, that in spite of the picturesque language used, the Court will not accept the version of the witness. It is a ridiculous thing. He was asked to do ordinary fatigue. This is legitimate work which ought to have been done willingly and it is ridiculous to suggest that this was a kind of torture used to induce or coerce the witness to join the INA. That, Sirs, is the evidence of Ahmad Nawaz.

Then, take the next witness, Havildar Muhammad Sarwar. He said, ‘Everybody refused to join the INA. The Jamadar and Subedar were armed with pistols and they took them out and started firing on us, and ordered the guard also to fire on us. The guard consisted of approximately 14 men. They started firing. Two of us were killed Everybody said Allah-o-Akbar.’ Now, I will read from the Cross-examination of this gentleman. He said: ‘I was for three weeks in No. 4 hospital. It was a very big hospital. There were patients of all kinds there. I was taken to the hospital. I do not know who took me, because I was unconscious ... There was an officer to whom I said that I was willing to join the INA. The only force that made me join the INA was that I wanted to escape this bad treatment and bad food. When I joined the INA, I came to know that

they were trying to free India.' And this is the gentleman who says that there was a regular firing in order to make him join the INA. He goes on: 'I knew I was expected to go and fight. I knew it was a question of life and death. I thought that death was better than these troubles. I had no faith that they would set India free. I had every faith that if I went to the front, I might be able to go to the other side, because we had so many hardships otherwise. At the place where we were first, there were numerous other people besides the 300. I do not know the Camp Commander's name. The Unit Commander was Lt Purshotam Das. That was the Japanese Prisoners of War Camp. We were split up into parties for the purpose of fatigues. On the day prior to the firing accident, we were not divided into parties of 323 for fatigue purposes. We were not asked to form a party of 323 men. We were not given an order. I do not know anything about being asked to surrender our leaders. I never heard of it. It is not true that Lt Purshotam Das advised us not to resist. In the party which came to the Camp there was one Muhammedan Jamadar. He was second-in-command of the guard. There was a scuffle between the men of my unit and the guard after the firing had taken place. Only one man of the guard was killed. The guard consisted of about 300. The name of the guard who was killed was Sardar Singh, who belonged to the Kapurthala Regiment.' That will show who attacked first. I leave it to you, Gentlemen, to judge who was the attacker and who was the attacked. And remember this that they were in a party of a few hundred, whereas the guard consisted, as he puts it, of 300 men. 'Because we refused to join the INA, they started firing.' That is the picture which we are asked to accept. I submit with very great respect that the story is a most incredible story. There was no conversation and they at once started firing!

Now, Sirs, that is the story which is presented to you for acceptance, and I ask the Court not to accept it because it is a ridiculous story. What is the idea of firing at the men whom they asked to join the INA? What do you gain by it? You gain this kind of soldiers with a view to fight! My submission to the Court is that there was this scuffle which he reluctantly admits, and evidently they were the first attackers. But they have employed a little story by means of which they say that there was firing on them. If the Counsel thinks that he can walk away with this story, I submit he is mistaken. But when you come to torture, I ask, is it supposed to be a torture? It was an ordinary fatigue duty. In this connection, I would like to call the attention of the Court to the Geneva Conventions, Articles 27 to 34, with reference to the work of the prisoners of war on page 298. I am talking of 1929. 'They should be kept according to their rank and if they are physically fit they may be employed by private individuals, but the captors must assume entire responsibility for their maintenance.

Prosecution Counsel: I am afraid I must interrupt. The evidence is not as my learned friend reads it. The evidence is not that the guard was killed first.

Sri Desai: What he said was: 'The name of the guard who was killed was Sardar Singh. There was no other member of the guard who died before Sardar Singh was killed.' I had not the least doubt about it.

The point that I submit to the Court is this. The witnesses fall into three types of classes. The first category belongs to the cow-killing incident. The second that the incident was with reference to refusal to do fatigues. The third relates to the incident of refusing to form parties for fatigues as required by the Japanese, whose prisoners they were. As a result of these three incidents, certain accidents occurred. I submit to the Court that the Government had definitely failed to prove any torture for the purpose of joining the INA. Each of these accidents is attributable—in two cases almost—to an admitted fact. In one case it is due to the form which the attack took. With reference to the other witnesses, the less said the better. All that they have said was that they were asked to do certain duties which they thought was an indignity, which they were asked to do, which, I submit, is ordinary decent labour. I know many men of higher rank who do gardening as a matter

of honourable occupation, and as a change of occupation from ordinary work. What these gentlemen were really asked to do was gardening, and they seriously come here and say what an indignity it was to ask a soldier to do gardening. And that is why he refused to join the INA. The Counsel has entirely failed to prove what he set out to prove, and I feel the Court should hold if it were necessary—according to my submission it is not necessary at all—that it has not been proved, apart from what is read or stated or alleged, beyond any reasonable doubt, that any torture was inflicted in order to join the INA. That, Sir, is my submission on that count.

That is all that I wish to say about the evidence on the subject of atrocities alleged to have been committed on these men to join the INA. With reference to the point that I mentioned in the morning as regards cases which might possibly be relied on, I will give you a list of the three cases which may be relied upon and give you my remarks on them. Before that I wish to make a submission. I will make a request at a later stage but I wish to mention to the Court in so far as any new authority is cited by my learned friend I do not want a general right of reply but I will ask the Court in the end that on any new law that may be cited I may be allowed to give a reply because I could have no opportunity even by anticipation of doing it. I will make that request more formally towards the end. The three cases which may be relied upon are *Regina vrs. Lynch* (1903) 1 King's Bench, *Regina vrs. Jaegrae* (1907) Appeal Cases p. 346 and *Regina vrs. Casement* (1971) 1 King's Bench. I do not wish to address you as if you were a high court, and therefore what I will do is this. There are two points which distinguish these cases which I will briefly state. They are cases of an individual being charged under the English law for an act of treason; they were not cases of men who were members of an organised army and of an organised Government. The second distinguishing ground is that in these cases there was no question of what I have submitted shortly as double allegiance. Therefore my submission will be that if these cases are relied upon this is the answer that I have got with reference to them. I will now go on with the regular trend of my argument.

The next point which I have to deal with before the Court is the evidence relating to the charges of murder, but I will take them all together without attempting to distinguish them. But I distinguish them under two heads; One is with reference to the four persons alleged to have been shot on one occasion and Muhammad Hussain, the person shot on the second occasion. I will first briefly state the case as I desire to present to the Court, and then deal with the evidence. It is a matter in which with due submission I probably will call attention in some greater detail to the evidence of three or four witnesses. As to the others, I will only make a submission as to what they said.

The position with reference to that is this. As regards the four persons there is a crime report and therefore up to the point of punishment there is evidence before the Court. As regards Muhammad Hussain there is no crime report. In fact as regards Muhammad Hussain there is no document whatever relating either to the sentence being passed or the sentence being carried out. Further, there is not even a casualty record in either case that I find on the record. As to Mohammad Hussain the only answer given by one of the witnesses as to why a casualty report was not made was that they were moving from Popa that day, and then when I further cross-examined him—which you will find in the Cross-examination when I come to it—he has to give adequate explanation for the absence of the casualty report. There is this further evidence—I am only anticipating it—that in the case of Muhammad Hussain there are three persons who are alleged to have shot—Jagiri Ram and two others, whom Jagiri Ram himself did not know. I do not wish to enter into details at this moment except when I read it, but I wish to point out the salient features. It is said in the evidence that Muhammad Hussain had three shots on his heart or near thereabout. It is further said in the evidence—he said this—that there was a tear in the shirt; and further in answer

to the court, which is a most material point, he said there was no blood of any kind or shot. That is the state of evidence with reference to Muhammad Hussain.

And now I will deal with the two sets of cases. There is one other ruling which I should have mentioned and that is that there is in evidence before the Court that Lt Dhillon who said to have signed and watched the sentence carried out was in a state of complete collapse of health and on that the document before the Court is Exhibit VVV. And the date of that document is 5th March 1945, the date on which it is alleged this execution was carried out. I am reading the relevant part of that document which is at the bottom.

‘Jai Hind—I think most of your queries have been answered in this order. Others I will answer when I come tomorrow. I ought to have come today but last night I went to check certain defences and on my arrival back I felt very weak, so weak that I have never felt before throughout my life. Major Shankar gave me an injection today though for a complete course I must get 12 here when there are none available. I will get one tomorrow.’

My case is that so far as carrying out the sentence on the four persons is concerned, though in fact the order was passed, it was never carried out. Not only that, but I will be able to point out from the evidence on record that there are many other similar instances, sworn to and admitted by the witnesses for the prosecution. That is in outline why I submit that the case is so far as the execution of the sentence is concerned, is not proved. I may go a little further and state to the Court that there is no presumption that because sentences were passed they were therefore carried out. The charge of murder has got to be proved by proving completely what is called the corpus deictic of that particular person. And I will say that if there is a reasonable doubt in your mind that the Prosecution has failed to prove the actual execution of the sentence, my clients are entitled to the benefit of that doubt.

That is the position with reference to the executions. There are four witnesses with reference to Muhammad Hussain. As regards the first witness Havildar Ghulam Muhammad, the evidence need not be read to the Court because all that he says is that he was brought up before Capt. Shah Nawaz, which is fact is not denied. There is this in Ghulam Muhammad’s evidence:

‘I know Havildar Ganga Saran. The First Battalion Commander reported that he (Ganga Saran) had refused to obey his orders. He was a sub-officer in the INA. He was produced before Col Sahgal for this offence and was tried and sentenced to death. He was afterwards pardoned and released.’

Havildar Ganga Saran himself in his cross-examination has admitted that as a fact. The next witness is Sepoy Alla Ditta (PW 24). He deals with the earlier part of the story, namely his intention to desert. This is what he says:

‘Muhammad Hussain said “I had a few difficulties and therefore I intended to desert.” But no inquiries were made into his complaints. Muhammad Hussain was told by Col Shah Nawaz: “You are sentenced to death by shooting because you intended to desert yourself and were persuading others to do the same. Therefore you are not pardoned.” I heard Col Shah Nawaz say: “Put off the case to the Regimental Commander.” (Not by Court: Witness used the words in English). Then we all three of us were sent out. I recognise Col Shah Nawaz Khan as an accused before the Court. We waited there for ten minutes and were brought back to Brigade Headquarters. Muhammad Hussain, Jagiri Ram and myself came together back to Brigade Headquarters. Muhammad Hussain and myself were put back in the same cell in which we were before the Khazin Shah took away Jagiri Ram. The same day at about 5 p.m. Sardar Muhammad, Adjutant of our Battalion and Aya Singh took away Muhammad Hussain. I have never seen Muhammad Hussain since then.’

Then, Sir, in Cross-examination he said:

‘No decision was arrived at either in my case or in the case of Jagiri Ram.’

The Court will remember that there were three people, and it is common ground that as grounds two the sentence was not carried out.

‘It is true that all that Col Shah Nawaz Khan said was: ‘You deserve to be shot’. Col Shah Nawaz Khan said that rebels like you will be sentenced to death by shooting. Col Shah Nawaz Khan told Muhammad Hussain: “You yourself wanted to escape; secondly, you have tried to persuade others to escape; therefore, you are a rebel to the INA and sentenced to death by shooting.” I saw Col Shah Nawaz Khan write something on the crime report. How could I read the crime report without picking it up from the table. I do not understand English.’

I come to the part of the story which in itself has not the same importance as what it indicates, showing that the witness was a completely factual witness. The man does not know English and yet he says ‘he was writing a crime report,’ and the object of the cross-examination is to show that he told a set story which he himself could not have possibly seen or done, and that is the kind of witness he is. That is then object of that part of the cross-examination.

‘I saw Col Shah Nawaz Khan write something on the crime report.’

The man says he does not know what is crime, but he was told what is a crime report. Yet he is asked to tell a set story that there was a crime report which Col Shah Nawaz Khan was actually writing, because he was called upon to prove that it was a crime report and sentence was written on it.

‘I saw Col Shah Nawaz Khan write something on the crime report. How could I read the crime report without picking it up from the table? I do not understand English. I do not know what he wrote and where, because I do not know English and I was not reading the crime that time’.

And the only re-examination is:

‘The crime reports were lying on the table and Col Shah Nawaz Khan read them out as he spoke to us individually. He wrote on the crime report which had already been drawn up.’

That is his part of the story. Then we come to the actual evidence of persons by whom sentence is said to be carried out—Jagiri Ram. You have seen him in the witness box. He is in the Nursing Department. He admitted to the Court that he had never handled a gun in his life, or a rifle, or any shooting instrument. But in order to give the colour of truth, Jagiri Ram is made to say this: ‘I was unwilling: I do not know how to shoot; I have never handled a shooting instrument, but a gun was put on my shoulder ...’. I ask you, Sirs, to give me the benefit of any description on his part rather than attempt to construct the story for him as if he did so. Then he put the gun here and the trigger was pulled and it seems that this untutored rifleman was extraordinarily accurate, that along with the others all the three shots lodged in the chest of the deceased. Sirs, it will be for you to judge the story. I am going to read out only that part of it which is material:

‘I knew Muhammad Hussain and Allah Ditta. Muhammad Hussain, myself and a Garhwali talked about escape when we were in Popa Hill area. While we were talking of escape Khajin Shah sent an orderly and ordered us to report to Battalion Headquarters.

Muhammad Hussain said that he had mentioned to Jagiri Ram and Alla Ditta jokingly about an escape. Khajin Shah questioned me and asked if they mentioned this jokingly. I replied that I had no proof of his intention to escape, but he mentioned it jokingly to me. Mohd Hussain and myself were tied to a tree near the Battalion Headquarters while Khajin Shah was questioning us. Khajin Shah questioned me as to who was trying to escape and I said that I did not know the name of any one who was trying to escape. Then Mohd Hussain was questioned. He also said that he did not know anything. After sunset Khajin Shah took Mohd Hussain and myself to

Brigade Headquarters. When I was taken to Brigade Headquarters, Mohd Hussain, Khajin Shah and one sentry were with me. Brigade Headquarters were near a nullah. On arrival at Brigade Headquarters, Khajin Shah went to a telephone and after that Alla Ditta also arrived at the nullah. After that all three of us, Mohd Hussain, Alla Ditta and myself, were put in the Quarter Guard and our hands were tied. On the following day we were brought before Col Sahgal. Col Sahgal questioned me as to whether I intended to escape. I said no, I did not intend to escape. During this conversation with Col Sahgal, other people present were Major Negi and Khajin Shah. Col Sahgal asked me if I had reported to any one after Mohd Hussain had mentioned to me about escape. I said I did not know anything about Mohd Hussain, and I did not reply to any NCO. I worked with my Medical Officer. Then we came out of the room and went back to the Quarter Guard. Then Lt Aya Singh of Brigade Headquarters gave each one of us a beating and said that he would release us if we would tell him the names of the people who intended to escape. I continued to say that I did not know. Next day we were taken to Divisional Commander Shah Nawaz Khan. We were accompanied by Major Negi, Khajin Shah and a sentry. All three of us, myself (Jagiri Ram), Alla Ditta and Mohd Hussain, were lined up before the Divisional Commander. The Divisional Commander asked me to speak the truth whether I intended to escape. I said no I did not intend to escape. Capt. Shah Nawaz Khan asked us why we did not report the matter. I said that I did not know anything about it, and I did not intend to escape. He asked if there was any officer or NCO near me. I said no, I was working with my medical officer. Then Captain Shah Nawaz Khan asked Alla Ditta: 'When Muhammad Hussain had talked to you about escaping, did you report to any one?' Allah Ditta said: 'I do not know anything about Mohd Hussain's escape; I thought it was a joke, I do not know anything about it'. Captain Shah Nawaz Khan then said to Allah Ditta: 'You are an NCO; why did you not report?' Allah Ditta begged his pardon and said that he did not know anything about Mohd Hussain. Then Capt. Shah Nawaz Khan questioned Mohd Hussain, and Mohd Hussain replied that he was in difficulties and that he intended to escape and asked to be forgiven. Capt. Shah Nawaz Khan then told him: 'You are not for our country; you are our enemy. I will give you death by shooting'. Then Mohd Hussain asked for forgiveness, and said he was prepared to go anywhere he was ordered. Capt. Shah Nawaz said nothing to this.'

The whole importance of the question is, whether in fact any sentence was actually pronounced. But, whether or not it was pronounced, the ultimate issue is, whether it was carried out. Like the case of the other two co-accused—Jagiri Ram and the other man—he said that nothing was decided, and

'all three of us were then sent out, and we were taken to Brigade Headquarters accompanied by Major Negi and Khazin Shah.'

I need not read the rest of it.

Then comes the next material part of the story:

'I moved towards the Battalion with Khazin Shah and Sub-Officer Barfi Singh. When I reached Battalion Headquarters, Khazin Shah told Barfi Singh to take me to Company Headquarters. In the evening an orderly took me to Battalion Headquarters. Mohd, Hussain was there. Khazin Shah and Aya Singh were also there when I arrived.'

The most important point is—and which appears from the evidence of witness—that both Khazin Shah and Aya Singh are alive, and they are the only real proper witnesses to that particular transaction. Neither of them has been produced. The story continues:

'Khazin Shah told me, "You will shoot Mohd Hussain, because you are one of the men who were trying to escape with him." I declined and said I will not shoot him ...'

I have understood many psychological problems but this particular one is curious, namely, that a man who does not know how to shoot and cannot shoot, is made to shoot just as a sort of punishment, which I do not understand, and which I trust you.

'Khazin Shah told me: 'You will shoot Muhammad Hussain, because you are one of the men who were trying to escape with him'. I declined and said I will not shoot him and that I did not know how to fire a rifle. Khazin Shah told me again: 'If you do not shoot Muhammad Hussain, you will be shot yourself if still refused and he drew his pistol.'

I can only express my inability to understand this particular psychology except a very foolish invention.

'I refused again and Aya Singh got hold of a rifle. He put the rifle to my shoulder and put my finger round the trigger. Khazin Shah asked Aya Singh to give the order to fire. There were three of us, one Singh, one Tamil and myself. Mohd Hussain was blindfolded by Aya Singh. He was made to sit on the ground with his back. Aya Singh ordered me to fire and all three fired. Mohammad Hussain died there. Khazin Shah ordered Aya Singh to give the order to fire and Aya Singh gave it. Khazin Shah told me to report to my company and not to come to the Battalion Headquarters. That evening we marched off to Logyi. Then we stayed at Logyi for two or three days. Then I went over to the British.'

The cross-examination is further continued:

'After I had made the statement it was read over to me and I was asked whether it was the correct version of my statement and I said: 'Yes, it was'. I was again shown my statement day before yesterday and I was asked if the contents were correct and I said: 'Yes'. It was translated to me in Hindustani and read over to me, and I also repeated my statement once again and they both tallied. I have had no training in the use of weapons. I joined the army, I worked as a servant and a labourer. On joining hospital, I was trained in the work of bandaging patients and making their beds. I had nothing to do with the fighting part of the army. Except when patients were sent to the hospital I had nothing to do with the men of the fighting units.'

The point which I wish to make is that not one of the persons is able to identify any of them by even the remotest possible description, and you cannot prove the death of 'A' by saying that I saw somebody shoot someone whom I cannot identify. Continuing he said:

'Mohd Hussain and the Garhwali I have referred to were members of the fighting units. At the time of the conversation they were not sick. I did not know them before the conversation, but they were living in the same company. I had no talk with them before, but when they came to my company I was in Company Headquarters. When this conversation took place I was in Popa Camp. I had never been to Burma before. Before joining the INA, we were given very hard fatigues by the Japanese in connection with the loading of coal at the ports day and night.... I do not know the name of the Garhwali to whom I have referred.'

The test is whether the other alleged conspirators were known to him.

'I know he was a Garhwali because he lived with us and he spoke Garhwali. I had never talked either to the Garhwali or to Mohammad Hussain before the day Mohd Hussain joined Company Headquarters. I had never spoken to the Garhwali before that day in the nullah; and from that day's conversation I say that he was a Garhwali. I do not know any language or dialect beyond the dialect which I speak.

'I came to know Mohammad Hussain in company. He used to live with me at headquarters. He used to sit in my company. I know he was a Mohamman. I do not know anything more about him. He used to speak in Punjabi with me. He used to live with me, surely I knew him. I cannot give a long description of him except his physical description. I do not know anything else about him. It was by chance that Mohd Hussain and I got together and the Garhwali arrived in the meantime ...

'When I was arrested I said that I never intended to run away because I would have been also shot otherwise. I knew Lt Aya Singh because he was in my company. I know he is alive. I saw him

in Jigargacha and Chittagong. The last time I saw him was in Chittagong where he arrived two or three days after my arrival there in about May last.

'I saw Capt. Shah Nawaz Khan at Divisional Headquarters. There were other orderlies and sepoy there. I do not remember having seen any officers other than Capt. Shah Nawaz Khan. I do not know the English word 'crime'. I know the word 'report' in the words 'crime report' which are written on a piece of paper now shown to me. There was no need for anybody to teach me the meaning of crime report when I was about to the produced.'

I put this to him to ascertain if he understands the explanation. There cannot be any other explanation except tutoring.

'I was told that a crime report would be put up against me and that we three men would be brought before Capt. Shah Nawaz Khan. No announcement was made before me in respect of anybody except Mohd Hussain being ordered to be shot. Capt. Shah Nawaz Khan did not say anything about myself and Alla Ditta. Alla Ditta was not present with us when we conferred in the nullah

'Mohd Hussain admitted that he had intended to run away; that he wanted to run away because he was in trouble; and asked to be forgiven and said that he was prepared to go anywhere that he was ordered to. After that Capt. Shah Nawaz Khan said that he (Mohd Hussain) was not for his country; that he was an enemy, and that he would give him death by shooting. We were then marched out. I am quite clear that nothing else happened.

'I was given a rifle at the time of the shooting of Mohd Hussain. I do not know any weapons other than a rifle. The rifle was put on my shoulder in the aiming position by Aya Singh. I do not know the names of the Tamil and the Sikh who were present at the shooting of Mohd Hussain, but they were both present on the scene when I arrived. I do not know anything else about them or what they did. I do not know their names but I have seen them in Battalion Headquarters. I cannot say anything more about them than what I have said. I was not myself then. The rifle was put into position and I was told to hold it. I held it with the help of Aya Singh. The rifle was pointing to Mohd Hussain. He was sitting on the ground about 5 yards away. I pressed the trigger when one-two-three was said. Three shots were fired but I do not know which shot shot him down. I did not go to Mohd Hussain's body to see how many shots had penetrated it. I did not go near Mohd Hussain's body after the firing. The last time I saw it, it was lying there.'

This is the account given by Jagiri Ram and the most important points are these: First that he did not know his fellow shooters and he cannot identify them. Secondly, he admits that Khajin Shah and Aya Singh are both alive. The third thing that he says is that I do not know Mohammad Hussain and there is no intelligible ground given why a man who did not know how to shoot was made to go through this process and it is for the Court to give some explanation. I can only submit that I can find none, and under these circumstances, I ask you to say that this witness's evidence is evidence which falls short of proof of the death of a particular individual otherwise not described, and in the absence of two persons who have not been produced before this Court.

Then, Sir, there is one more witness on this point, and that witness L/Naik Sardar Mohammad. I will read the evidence which relates to this matter.

I knew Mohammad Hussain. On the 27th March Lt Khajin Shah sent for the runners. On arrival of the runners he ordered them to bring the following men to the Battalion Headquarters: Sepoy Mohammad Hussain. Lance Naik Alla Ditta, Lance Naik Mohammad Shafi, Sepoy Jagiri Ram and Sepoy Gobbru Singh... Khajin Shah told me that he was going to Brigade Headquarters that evening to talk about these men, and he went away... I met Lt Khajin Shah on the way and I handed over these men to his charge. He let off Lance Naik Mohammad Shafi on the spot, because

his platoon commander had recommended him, and I came back. He said that Mohammad Hussain had been sentenced to be shot.'

I submit with due respect that it is not good evidence.

'... to be shot. Nothing was said about others, but Jagiri Ram was with him at the time. He asked me to go to Ghulam Mohammad, the Brigade Adjutant and ask him whether Mohammad Hussain was to be shot under Battalion arrangements or Brigade arrangements I was also asked to bring Sepoy Mohammad Ibrahim who had been released from the quarter guard. I received instructions that Mohd Hussain was to be shot under Battalion arrangements and on the same day, I brought him back with me to Battalion Headquarters I conveyed these orders to Lt Khajin Shah. Lt Khajin Shah then ordered me to arrange for the execution of Mohammad Hussain ... He asked me to detail 10 men with pick-axe and shovels. I detailed those men to dig a grave. I know that a grave was dug. I was then ordered by Lt Khajin Shah to take Mohammad Hussain to the edge of a nullah. Mohammad Hussain was taken to the edge of the nullah. Lt Khajin Shah, 2nd Lt Aya Singh and Havildar-Major Govind Singh, some sepoy and myself went with Mohammad Hussain to the nullah. Lt Khajin Shah ordered Mohammad Hussain to be tied to a tree and also ordered that he should be blindfolded. I passed on the orders to Sub-Officer Govind Singh who carried them out with the help of two other sepoy. After this Lt Khajin Shah called two men out of the fatigue party to shoot Mohammad Hussain. They were both sepoy, one was a Tamil and the other was a Sikh. After the arrival of these men, Khajin Shah ordered that Jagiri Ram would also fire on Mohammad Hussain. The three men stood in a line facing Mohammad Hussain and Khajin Shah told Aya Singh to give the order to fire. Aya Singh hesitated. Khajin Shah once again told him to give the order to fire. Aya Singh gave the order, 'Kneeling Fire'. All the three sepoy fired a round each on Mohammad Hussain. Mohammad Hussain was killed. His body rolled over sideways. Khajin Shah then ordered me to send Abdul Hakim to arrange for his burial No casualty report was sent. The sending of a casualty report was part of my duties. I did not make a casualty report because night had fallen and we had to march the same night. On the 3rd April I escaped and reported to the Allied forces ... 'The night that Mohammad Hussain was shot we moved to Logyi. That was on the 29th March, 1945.'

That question was put with a view to find out the connection between that day and the day of escape.

'... I did not have the time to prepare a casualty report of Mohammad Hussain's death. On the 1st April 1945 I did not take a casualty report to Capt. Sahgal. I do not know if any was sent. I knew Jagiri Ram from the day he was arrested and taken to Brigade HQ. I had been posted to the regiment only three or four days previously, and that is why I did not know Jagiri Ram. I knew that he was a non-combatant nursing orderly. Aya Singh was helping Jagiri Ram to fire the rifle. He was standing near him. Jagiri Ram fired with help. Lt Khajin Shah ordered that Jagiri Ram will also be one of the firing squad. I could not see very well but the firing squad had been ordered to adopt the kneeling position and they did kneel a bit. I do not remember whether Jagiri Ram was standing or in the kneeling position. I was between 12 and 15 yards away when Mohd Hussain fell. I went away after giving orders to Abdul Hakim. I went near Mohd Hussain and found that he was dead. He had three shots in him. The shirt covering his left breast was torn and from the amount of tear I considered there were three shots. I was not present at his burial.

(Question by the Judge Advocate):

'When I found that three shoots had gone into him and that he was lying on a side I inferred that he was dead. The firing was about 8 to 10 yards away from Mohd Hussain. The shooting of Mohd Hussain occurred at about dusk. I did not see any blood on Mohd Hussain.'

This is the whole of the evidence that you have before the Court and with the absence of Khajin Shah and Aya Singh, with the inexplicable alleged joining of Jagiri Ram, with the complete unidentification of the other two persons who joined in the shooting, and with the most extraordinary story of three shots having gone into the body of this man in one and the same place and not a single drop of blood was found, I submit to the Court that the evidence falls short of any proof of the execution of this sentence.

Though it is a small point Jagiri Ram himself said that he fired the rifle standing and I have a vivid recollection that later on, when he was asked to say where his muzzle was pointing he was completely at sixes and sevens to answer the question or to explain the position, or to answer where and how he said the rifle and where he aimed and how he shot. That is the position in so far as the record is concerned.

Then to the evidence relating to the alleged shooting of the four persons. The first and the most important point in reference to that shooting is the exhibit 3V which I have read to the Court. If you had such clear evidence it is obvious that the other evidence must be rejected. You have the evidence about the condition in which Lt Dhillon then was. The submission I am making to the Court is that this even did not take place because the whole of the story hinges around order being given by Lt Dhillon. I am able to show, as I submit I am able to show, that document was written at a time when there was not the remotest occasion of making up any document whatsoever as to the condition of his health. But the fact remains that the previous night he had gone out on reconnoitering and he came back, and I ask you to pay attention, in a condition so weak that he had never felt like that in his life before. He was actually given an injection by the doctor, that 11 more had to be given, and it was difficult to find any more medicine. For that reason alone, if there were no other reasons, the picturesque account given by the two witnesses, whose evidence I am going to read as to the company being called out and Lt Dhillon standing and giving orders and calling each man, is a story entirely untrue. More than that, the story of the location of it all seems to be completely upsetting.

As to one of the two witnesses a comment is necessary. He had no intelligible reason to be there; and he had medicines to give as I shall presently point out. He also happens to be one of the members of the nursing staff and he said he had no reason to remain there. But the still more important thing is that the second persons says—his evidence shows—that the first witness was not there. What do you make of that?

Counsel for the Prosecution: He does not say that he was not there. He only says, 'I did not see any other man.'

Sri Desai: I say that the true inference is that he was not there, because he said he saw nobody, no stranger. The evidence suffers from such grievous infirmities: first, the practical improbability of the person who gave orders for shooting being there. Of course one can disregard anything; but after all you are to judge by human standards and not by possibilities. In fact I do go as far as this: supposing a charge of this kind had been brought—apart from a trial of this kind—and evidence had been given as to the improbability of the person who is alleged to have given orders for shooting being there, no jury would ever venture to convict him. You may say: 'Oh, yes the man was ill but we still believe he went there.' Of course you are entitled to do so; you are judges; I do not deny that. But I ask you to be judges on material before you: and the material before you is such that as judges of fact it is impossible at all events, as I respectfully put it then and put it now—if you had a reasonable doubt that Lt Dhillon could not have been there that day, I submit there is an end of the case. Any other picturesque description is immaterial. What is material is that the man who is alleged to have given orders for the shooting was not there; and whether he was there or not depends on the state of his health, as to which there is a contemporaneous report; and I

submit to the Court that it would be highly dangerous to accept, in the state of that man's health the story of these two men. As to both of them I will be able to point out inherently from their own evidence that they are not witnesses of truth; and that you defer that evidence and act on your own peril. I submit that is the real issue before the Court. I will read the evidence of the other two persons who said they were there.

There is another point which also comes out. There is no identification of the persons alleged to have been shot with the persons mentioned in the crime report. I do submit to the Court that if you find a crime report and on the strength of that document it is quite easy to have two willing witnesses of this kind—people who, I submit, on their own confession (and I can show it by examination of their evidence) ought not to be believed. I say the strongest piece of evidence in my client's favour is the evidence of his state of health that day, and you cannot disregard it. You can say: 'Oh, no, never mind how his health was; we still believe he was there.' But I submit that that is a process of reasoning which is not, what I may call, founded on justice or will be accepted by this Court. I will read the evidence of the first witness on this point:

'One day I was carrying a patient and saw four men near a nullah whose hands were tied behind their backs and who were escorted by two sentries. When I was coming back after leaving the patient in hospital, I noticed some men assembled near the nullah. Seeing this assembly of men, I went up there. When I reached there, one company was fallen in, and a trench had been dug there. The four men were made to sit in the trench. Then Major Dhillon asked for volunteers to shoot these men. Two men from that company and one man from Brigade HQ camp up. Their names were Naik Sher Singh, Kalu Ram and Hidayatullah. Two carried rifles and one a pistol: Sher Singh had the pistol. Then Major Dhillon called out the name of one of the four men in the trench. Major Dhillon told the company present that these four men had gone over to the enemy and had been caught, and therefore their punishment would be death. Then Major Dhillon ordered Hidayatullah to shoot the prisoner who had been called out of the trench first. By this time this prisoner had come out of the trench. He was standing on the edge of the trench. This prisoner was then shot by Hidayatullah and he fell down. The prisoner was not blindfolded. He was about 20 yards from Hidayatullah when fired upon.'

Then there is the description about the other three men in the say way. Then he says:

'I did not see them moving after Sher Singh had fired. Then I saw Captain Lee, the Medical Officer of the Battalion examine them. Captain Lee said something to Major Dhillon.' Captain Lee is another witness who should have been called to prove this:

'Afterwards Major Dhillon ordered the dead bodies to be buried. I did not see them being buried ... I went over to the Gurkha Regiment a fortnight after these men were shot. These four men who were shot were Jats. I know nothing else about them.'

It is most extraordinary. You have ABC and D condemned to death, and you are asked to believe the one who did not know who they were. In a trial for murder, if you are told that A was ordered to be shot and some one says: 'I saw somebody shot and therefore I come to the conclusion that A was shot', I think one would be shocked to hear such a thing. I submit we have made our points quite clear in cross-examination. This witness said:

'I have never seen these men before. I did not know where they had come from.'

It is not the charge at all that any four men were shot for any other crime or for no reason whatever. You are not called upon to say whether some other men were shot or why they were shot. That is not the charge.

Having dealt with the first part, which I do not want to repeat again, you will see how many infirmities are there. First the improbability of Lt Dhillon being there, according to the description in the sick report: next, no identification of any of the four men, never having been seen by these

two men before. I do not say merely the cumulative effect of the whole thing—but even if any one of them was wanting you cannot say it is proved.

Then I have tried to prove from this evidence as far as it is possible to do so, as to whether or not he was required to go back to his duties, and he ultimately had to admit that he could not be there in the proper discharge of his duties; and after all the way in which you will judge a man is not by merely saying what they did, but by the probabilities of circumstances. If a man is expected to be on duty, and he says he stayed away out of sheer curiosity, would you rather prefer to believe that he went to his duty and was not there, or are you prepared to say, just because he said so, that he was there? He says further:

‘I stopped there for about half an hour’. It is rather important from the point of view which I submit is of a man in that condition, which as I said, is a fact which you cannot possibly disregard. In that condition, according to him, this process took half an hour. Then he says:

I had nothing to do with either the men who were present there or the incident which took place there. I cannot tell the date or the week or the month on which this incident happened. I went over to the Gurkha Regiment which was in a nearby village, the name of which I do not know. The incident to which I referred happened in 1945. I did not mention this incident at all in the Gurkha Regiment. I did not talk to anybody out of the assembly in the nullah. The company assembled in the nullah was about 100 strong.

The next witness will tell you there were about 25 men there—

I did not see any outsider apart from the officers, the company and myself.

If in the teeth of that, the Advocate-General still insists that my interpretation of the evidence of the other man that he was no stranger is not correct, I ask the Court not to accept such an argument, because he may be plain and tell us who were there. I cross-examined the other witness and asked him whether besides the officers and the company there was any stranger, and he said ‘No’; and if after that I am to be told that I have not proved from the mouth of the other witness that the first witness was not there it is an untrue interpretation of the evidence. He further says:

I knew the names of Hidayatullah, Sepoy Kalu Ram and Naik Sher Singh because they belonged to my Battalion. My duty was to render first-aid. I never preferred first-aid to the three men I have mentioned. While at Popa, the Battalion consisted of 200 to 250 men. The three men do not come from the same place in India as I do not know where they come from. I had no personal contact with these three men before that date. I had nothing to do with them after the incident.

I say the probability is one in a thousand—the man knows nothing before, knows nothing afterwards, does not shoot and does not know how to shoot: has no business to be there; and yet you are asked to believe that evidence that the shooting took place. I submit it is a story which men of reason, just as we have on this tribunal, will not accept. The evidence goes on—

They used to be in my Battalion and I knew them. I cannot give the nominal roll of all the men of the Battalion. I know the names of some but not of all men in the Battalion. I can give the names of 10 or 12 people in the Battalion I did not talk to any of these men before that date. I have never seen these three men since.—(that is with reference to the persons alleged to have been shot).

‘I was 10 or 12 yards away from Major Dhillon. Nobody asked me why I was standing there. I had nothing to do with what Major Dhillon said on that occasion. I am not a poet. I am not a writer either. I swear and say to the Court that I remember every detail of what I have told the Court. I remember very well that none of the first men nor any of the other men were blindfolded. I omitted this detail in my evidence because I was not asked. I said that three volunteered to shoot

these four men. The whole company was armed. Most of them had rifles and a few of them had not. I knew at that time the name of the man whom Major Dhillon selected to shoot first. I do not know the names of any of the four men who were shot nor do I know their identity. After the shooting, Major Dhillon went away and so I went away as well. At the beginning I did not know what was happening there, but when I came to know what was happening there, I stayed on to see the end. I was 12 to 13 yards away from the place where three men fell. This occurred at about 4 o'clock in the afternoon. I did not have a watch.'

The next improbability is that at the time there were sudden air raids, and this process which, according to the witness went on for half an hour is a matter for you to consider. But the important points are those which I mentioned first. The witness himself says:

The place was subject to air attacks during those days Aeroplanes used to come over us frequently. There were trenches about and the nullah was a sheltered area. I do not know the persons who chose the nullah I am shown my statement of the summary of evidence. I signed that statement and identify my signature. It was read over to me before I signed it. My attention is drawn to the passage. As far as I remember, I said that Major Dhillon had ordered Sher Singh to fire a pistol, but it was not taken down.

I mean, he is quite willing to improve on any story so long as you ask him to do so.

'I was not interested in Captain Lee's examination or his report. I was not interested in their burial either. Harbans Singh gave orders for their burial in my presence:

Questioned by the Court he said:

'This company in the nullah was properly fallen in. These men were in front of the company. The company was about 10 to 12 yards from these men and I stood near the company on the side. Major Dhillon gave orders for the fourth man to be shot.'

Sepoy Gian Singh: 'I remember four men being shot there. At about 4 o'clock one evening our company got orders to fall in a nullah. On arrival there I saw four men whose hands were tied behind their backs. They were in a trench. Major Dhillon said that these four men had tried to go over to the British and so they were sentenced to death.' Then he gives the names and details of the shooting of each man. 'These four men who were killed were Jats. I do not know anything more about them.' For all I care any four Jats were killed, that would be the proof. That this particular sentence was carried out would be, I submit, the height of improbability, and unless there is definite evidence that the four particular individuals named in the crime report were shot, as having been identified as having been shot. I submit to the Court that you cannot possibly hold that these particular four persons were shot. The charge is aiding or abetting or the committing of the crime of shooting, and by proving that a Jat was shot, I submit with very great respect, nothing is proved. My case is honestly and deliberately that this is a false story. The sentence was not carried out. But taking everything against myself, and standing before a court of law I say you do not establish a charge of shooting A by saying that you shot a Hindu. A Hindu may have been shot for all I know on the same day.

Then, Sirs, we come to the cross-examination of this witness. 'The nullah to which I have referred was about five feet wide'. Imagine the picture as this man gives, and of course it cannot possibly agree with the other picture. The other picture was one hundred people were present. This man's picture is that 'from where I stood to where the trench was, it was about 25 feet, 20 feet deep and five feet wide.' Few would believe that the company had fallen in such a place for such a purpose. I cannot imagine that a company would be asked to fall into a kind of well as this gentleman has described. Then he says that the highest of the room was about 20 feet. 'There were about 30 men in this space. Such men of the company as were in the lines were present there. Some men had gone out on fatigue. The trench was dug at one end of the nullah. I do not remember

how many officers were there. Capt. Dhillon was in front of the company. The trench was below the nullah bed. I did not see the depth of the trench. The trench was between 20 and 25 yards from where the company had fallen in.' A person in the trench could hear what was said from the place where the company was, if it was spoken loud enough to be heard. In that narrow space it is impossible to suppose that the other gentleman if he was there could ever have escaped detection. The man says that the whole process took half an hour, and hence the value of the submission that I make. 'I do not remember any person not belonging to the company being there.' I say that it requires a lot of conviction to submit to a court of law that this does not prove what I say it proves, namely that the first witness is proved by the second witness not to have been there. After all he said that there were thirty people. He knew that they were members of his company. Others had gone out on fatigue duty. This man says definitely: 'I do not remember any person not belonging to the company being there.' I submit with great respect that it has only one and one result, and that is that at all events the second witness says that the first witness was not there at all. Remember that within that five feet space you could not escape noticing any man. You could not help it if he was there. 'We were standing in a place like this room except that it was not so broad. At some places it was wider but the place where we were standing in the nullah was about 5 feet broad. Of these three men who volunteered to do the shooting, two belonged to the company and one to Brigade Headquarters Police. Those three men who did the shooting were fallen in with the rest of the company when they volunteered to shoot. Because of air raids men used to go and hide themselves in the nullah bed and Naik Sher Singh was hiding in the nullah at the time. At that time there were constant apprehensions of air raids. The trench was about 20 yards away from where I was standing. The trench was at right angles to the bed of the nullah. I did not notice at the time what the length of trench was. I did not notice whether the nullah was any wider at the point where the trench was. We were standing in two lines in the nullah facing the end of the nullah and I was in the middle of the company. All the men were facing towards where the men were shot. The men were in two groups. Major Dhillon was standing in front of the two groups, about 2 paces away from me. I heard Major Dhillon order the four men out one by one. I do not know their names. I had been in the company for a long time and that is how I knew the names of Kalu Ram and Hidayatullah.' I submit that this again falls completely short of the proof of anything whether like the death of an individual with whose death a man is accused. Remember that you have got to be satisfied, not in a vague sort of way, that some people were ordered to be shot, that some people were shot and those who were shot were those who were ordered to be shot. It is a process of absolutely vicious reasoning which I hope will not be resorted to or made use of by the Prosecution. Merely because the names of four persons whom you say were shot were there, you cannot prove that they were shot by saying that some people were shot.

Therefore, to summarise the evidence, it suffers from the worst infirmities, and much more so in a case where a man is charged with murder. First, it is improbable that the person who is alleged to have given orders was there or could have been there. It is improbable that in that state of health he could have been there for the period of time alleged for the process. Next, neither of the two witness is able to identify in the least degree who was shot. Then, the second witness says that the first witness was not there, and the second witness gives a picture which it is for you to believe to what extent it is correct. And then in addition to that, I am going to call attention to the evidence to witness, which in many instances of that kind, people were sort of sentenced but the sentence was never carried out.

The evidence to which I am referring is the evidence of PW 5 and it belongs to the same period to which this particular alleged shooting refers. The evidence of PW 5 in cross-examination is: 'I know Captain Rab Nawaz. He was the commander of one of the POW's Camps at Port

Dixon, and the other camp was commanded by Capt. Karam Chand Bias of the first Bhawalpur Infantry. Capt. Rab Nawaz did not volunteer for the INA nor did Captain Bias. After Capt. Sahgal's conference on the 1st of March, within the next two weeks, there was several people arrested. After investigation all were released except Capt. Bedi. The reason for my remembering the date on which Capt. Sahgal commanded No. 2 Division was that on 28th February 1945 five officers deserted and on that occasion Capt. Sahgal arrested Captain Bedi. Captain Sahgal arrested Captain Bedi on the 1st or 2nd March 1945 as a Divisional Commander. I do not remember the exact date on which Capt. Sahgal began to act as Divisional Commander.'

Then, Sir, you have the evidence of Ganga Saran, to which I have already called attention, and this belongs to the same period as the date of the alleged execution of this sentence. Considering the evidence on record, I would submit to the Court that there is such a lacuna of evidence of identity, of improbability, that the Court should hold that there is at least a reasonable doubt whether this particular event took place. I of course put it more affirmatively myself, but feeling as I do in a case of this kind, it is my duty to put the case at the very lowest, and I say that there is want of evidence that is sufficient for my purpose. It is not enough that A should have been ordered to be shot, that by any process of reasoning therefore he must have been shot. That is a process which I submit is wrong and not permissible. The actual execution of the sentence has got to be proved with complete identity between those against whom the sentence was passed and those whom it is alleged were shot on this occasion. The thing has got to be proved by affirmative evidence and the burden of proof is completely on the Prosecution, hundred witnesses notwithstanding. In this case there are only two. One of them says that the other was not there. The point really is not how the deficiency of evidence arises. The question really is that the burden of proof being on the Prosecution to show that a definite person, A, B, C, or D was killed, and died as a result of the action of a person who ordered the shooting is a fact, which must be proved.

All that is proved is, taking the allegation at its face value, that four shots were fired, and the identity of the persons shot is not known. My submission to the Court on that is the evidence on this point suffers from infirmities which I have detailed to the Court in dealing with the evidence.

Therefore with reference to this charge dealing with murder, my submission is that the Prosecution has entirely failed to prove the charges. The alternative submission is, assuming that the Court agrees with me that this was done in due course of the execution of the duty of an officer in the INA governed by its own code, there is no question of any liability.

I say that Kalu Ram and Sher Singh who are said to have fired the shots are alive, and there is not that sufficiency of evidence either on facts or identity. Therefore I ask the Court not to run away with the idea that a sentence was passed on A, B, C and D, some people were shot on that day, and therefore the persons shot were those identical persons. This is a point which I cannot too often submit for the consideration of the Court. To say that A was shot because some persons were shot, is indeed a piece of logic which ought not to be allowed in a case of this grave magnitude. It is not permissible even in an ordinary case. The question says: Did you see A? The answer is: I do not know, but I saw some body going into the fort and he was expected to go there. In a case of this kind, to say that he did go, would be the height of wrong reasoning. That is all I have got to say on the question of the sentence.

I submitted in the beginning of this case that this army of the INA was an organised army. The actual sections of the INA Act have been cited, as the Court will see from the crime report and the Court will see that there can be no liability for any acts done in due prosecution of the war in the execution by officers of their respective duties. That of course is a complete answer. I submit that even if the case is laid against A as a private individual, even then the evidence on the subject of having caused death, fall short.

Then there is a small point. I come to the evidence of Col Kitson and Ghulam Muhammad with reference to the circumstances of Captain Sahgal's surrender. It is a point of substance, because under the terms of the surrender which were offered and accepted, the accused are entitled to all the privileges of prisoners of war on the cessation of hostilities. I shall now read the evidence of Col Kitson, PW 29. He says:

'I then went forward myself up to the east corner of this village, when I met my leading Company Commander together with Captain Sahgal, the accused. With him were a number of other officers of the Indian National Army and approximately a hundred Indian troops of the INA at that particular time. More appeared later. My leading Company Commander handed me a note which he had received from a surrender party under a white flag. I am afraid I have not preserved the note. I destroyed it about two months later when I was going through some papers, and I am afraid I saw no importance of this note which I threw away. The note was addressed to the Commander of the British Forces, or may have been addressed to the Allied Forces, and it said that approximately 30 officers and 500 troops of the INA wish to surrender as prisoners of war. I then talked to Captain Sahgal, and he gave me his name and his regiment. He said "I am Captain Sahgal," and I asked him what his unit was both in the INA and in the Indian Army, and he told me then that he had been in the 5/10th Baluch and that he was then commanding a regiment of the INA, and that he had with him there at his Regimental Headquarters a First Aid attachment and one Battalion of his Regiment. I then made arrangements for the collecting of all the arms of the prisoners and arranged with Captain Sahgal about their feeding. We had no food for them.'

You have to read this evidence in the light of what Ghulam Muhammad said. He has given evidence before you to this effect that all non-commissioned officers collected together, they were given an hour's time to consider the question of surrender as prisoners of war, and that if that was not accepted they were prepared to fight. A letter to the effect was written and despatched, and you have the evidence of Col Kitson as to what happened. Under these circumstances submit that in so far as the surrender of Captain Sahgal is concerned, it has been on the terms of which the offer was made, and I submit he is entitled to be released.

There are one or two small matters which I should like to deal with before I raise three points of law. You must have heard the evidence of the last defence witness, Captain Arshad. He gives you a truthful account of what occurred prior to the surrender of Rangoon, and the reoccupation of Rangoon. I have produced four documents which clearly show the recognition on the part of the British officers of the existence of an organised army called the INA. The men in charge have been addressed by their proper designation and they have been entrusted with definite duties, and there is ample evidence to prove that the INA was an organised army, and it was treated as an organised army. I would draw your attention to Exhibits 5 Us, 5 Vs, and 5 Ws. You will find instructions there regarding the address of officers. This includes a document by Brigadier Lauder.

So, I submit that right up to the time of the surrender there has been recognition on the part of the opposing armies, that the INA was an organised army and it was so referred to and addressed through its proper officers. They were also recognised as officers for the time being. That, Sir, is practically the whole of the case regarding the documents and the recorded evidence.

I now come to certain submissions regarding further points of law. They are three in number and they are founded on a true interpretation of the Indian Army Act and of the rules thereunder. Under Section 41, this Court is authorized and is given jurisdiction to try among others civil offences.

The word 'civil offence' is defined in the Act itself. Section 7, Sub-Section (18) reads; 'A civil offence means an offence which, if committed in British India would be triable by a Criminal Court.' The question really depends on the true construction of the words 'triable by a Criminal

Court'. I know and I am fully aware that the Criminal Procedure Code has been applied to the proceedings of this Court. But that is irrelevant to the issue that I am now going to submit to the Court, If, by the definition under Sub-Section (18) you have to find out what is triable by a Criminal Court, you cannot just do it in the air. I defy my honourable friend, or anybody else, to say what it is unless you go to the appropriate Act which shows what things are triable by a Criminal Court. That is not saying that the Criminal Procedure Code is applied here. That is where there is a likelihood of false reasoning. The point is this. In order to understand one statute, and where the statute expressly refers to what is triable by a Criminal Court, you must go to the statute which defines what is triable by a Criminal Court. It would be an extraordinary thing if the whole thing were left in the air. Therefore, if there is another statute which shows what is triable by a Criminal Court, you have got to go to it, notwithstanding that the statute is not applicable to the proceedings of this Court. What I do say is this. If you have to find out what is triable by a Criminal Court, you must go to the statute which shows what is triable by a Criminal Court, and that statute, so far as one is aware, is the Criminal Procedure Code. On that two points arise. One is that under Section 196 of the Criminal Procedure Code it is laid down as follows:

'No court (meaning no Criminal Court) shall take cognizance of any offence punishable under Chapter VI (which is this offence) unless upon the complaint made by the order or under the authority of the Provincial Government or some officer empowered by the Provincial Government in this behalf.' If merely for the purpose of finding out what is it that is given to you for trial you have to go to another statute, then it is a wrong argument to say that you will not. Let me put it in plainer language. When you say that my terms of engagement are the same as those of Major Preetam Singh's it is not enough. I must ascertain my terms from the contract. That is the simple illustration which will bring home to even a layman's mind the point that I am intending to make. The point that I am making is this that the civil offences which are committed to you for trial are those which will be triable by a Criminal Court. Therefore my first submission is that what offences are triable by a Criminal Court you can only discover by looking at another law which is appropriate to the purpose and not by shutting your eyes to it. When you go and look into that law, what do you find? That law requires that that offence would not be triable by that Criminal Court except upon the complaint of an officer of the Local Government, etc. It has nothing to do with Captain Mead's case or any other case. That was a case of Section 270 of the Government of India Act and has got no bearing on the question. The point is this. How do you discover or where do you discover that the offence is triable by a criminal court. That you must discover because you cannot say that anything that is brought to you for trial, you will try. You will yourself ask: 'What is it that I am entitled to try and if I am only entitled to try that which is triable by a Criminal Court, I must necessarily go to the statute which gives me that power.' My submission to the Court is that by reason of Section 196, no complaint having been made by a Local Government or an officer in that behalf appointed by them, this Court may not try an offence under Section 121, Chapter VI. My next point is again a point of construction, a point which, I submit, is of commonsense. If I am given a power to try offences within a certain limit, then I must find out what is being triable by a criminal court. If I find that a criminal court is incapable of trying an offence, then you must come to the conclusion that a criminal court of its own motion and of its own authority is incapable of trying that offence. If a criminal court is incapable without more of trying the offence, equally this Court is incapable of trying the offence. In other words, there are two alternative arguments before the Court. One is that within this sphere of the offence triable by this Court, this particular offence does not fall, in that it is not triable by a Criminal Court without more. In other words, a Criminal Court of its own motion could not possibly take cognizance of this charge. Until the Local Government by itself or through its proper officer, does not move, the Criminal Court is

incapable of trying it. Therefore, the question is two-fold. Firstly, that the Criminal Court being incapable of trying, this Court is also incapable of trying it. Secondly, if you put the point that the Criminal Court is capable of trying, but with a condition satisfied. Therefore, in either view of the case, this Court is not competent to try the charges before it. My submission is that, in so far as the charges of alleged murder of Shah Nawaz or Dhillon are concerned, they are really part of it and nothing else. It is not suggested on the record that either of them wanted to shoot anybody for personal enmity or for any other cause of any other kind. It is patent on the face of the record that they were part of the actions which they took as officers of the INA, therefore, my submission is that the Court is not competent to try the two sets of offences before it. Per contra if the Court is of opinion or should it come to be of opinion that the charges of murder or abetment of murder are independent charges, then my submission to the Court is that under Rule 24 of the rules of conduct of trial in the Court, the joint trial is completely illegal on a decision of the Privy Council in India Law Reports, 25 Madras Subramaniam's case. (Rule 24 was read out and the Judge Advocate pointed out the amendment to it). That does not fall within the Rule because as to the murder and abetment of Muhammad Hussain all the persons are not there. So that whether you call up this rule or any other rule, there is what you may call in the plain language of the section, a complete misjoinder of the charges and of the accused. Shah Nawaz has nothing to do with the alleged murder nor has Dhillon anything to do with the murder of Muhammad Hussain. I submit to the Court confidently that if you treat the second set of charges as independent charges, this trial is wholly illegal.

I will now give to the Court the Judgment of the Privy Council in Law Reports, 25 Madras, on page 61.

'The appellant was tried at the Criminal Sessions of the High Court, and convicted on an indictment the first count of which contravened the provisions of Section 233 and 234 of the Code of Criminal Procedure (which proved that every separate offence shall be charged and tried separately, except that there offences of the same kind may be tried together in one charge if committed within the period of one year), and did not fall within the provisions of Section 235(1) which provides that if, in one series of acts so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried at one trial for every such offence. On a case certified under article 26 of the Letters Patent and heard by the Full Court, it was held by the majority of the Court that the union of the first count with the others made the whole indictment bad for misjoinder, but that it was open to them to strike out the first count, rejecting the evidence with regard to it, and deal with the evidence as to the remaining counts of the indictment. This was done with the result that the conviction was upheld on one count only, the sentence being reduced:

Held, by the Judicial Committee that the disregard of an express provision of law as to the mode of trial was not a mere irregularity such as could be remedied by Section 537 of the Criminal Procedure Code. Such a phrase as 'irregularity' is not appropriate to the illegality of trying an accused person for more different offences at the same time, and those offences being spread over a longer period than by law could have been joined together in one indictment.

'Nor could such illegal procedure be amended by arranging afterwards what might or might not have been properly submitted to the jury. To allow this would leave to the Court the functions of the jury, and the accused would never have been really tried at all upon the charge afterwards arranged by the Court. The trial having been conducted in a manner prohibited by law, was held to be altogether illegal and the conviction was set aside.'

The Judgment of the Lord Chancellor is on p. 96.

‘In this case the appellant was tried on an indictment in which he was charged with no less than forty-one acts, these acts extending over a period of two years. This was plainly in contravention of the Code of Criminal Procedure, Section 234, which provides that a person may only be tried for three offences of the same kind if committed within a period of twelve months. The reason for such a provision, which is analogous to our own provisions in respect of embezzlement, is obviously in order that the jury may not be prejudiced by the multitude of charges and the inconvenience of hearing together such a number of instances of culpability and the consequent embarrassment both to judges and accused. It is likely to cause confusion and to interfere with the definite proof of a distinct offence which it is the object of all Criminal Procedure to obtain. The policy of such a provision is manifest and the necessity of a system of written accusation specifying a definite criminal offence is of the essence of Criminal Procedure. Their Lordships think that the course pursued and which was plainly illegal cannot be amended by arranging afterwards what might or might not have been properly submitted to the jury.’ It means that it is too late for even this Court to say, ‘We will either strike out the charge of waging war or strike out the charges of murder and abetment of murder in which some of the persons are uninterested and not charged with reference to offences charged against others.’

Then the judgment proceeds—

‘Upon the assumption that the trial was illegally conducted it is idle to suggest’—I am glad I am not using those words but the Lord Chancellor uses them—‘that there is enough left upon the indictment upon which a conviction might have been supported if the accused had been properly tried. The mischief sought to be avoided by the Statute has been done. The effect of the multitude of charges before the Jury has not been averted by dissecting the verdict afterwards and appropriating the finding of guilty only to such parts of the written accusation as ought to have been submitted to the Jury.

‘It would in the first place leave to the Court the functions of the jury and the accused would never have really been tried at all upon the charge arranged afterwards by the Court.

Their Lordships cannot regard this as cured by Section 537.’

They do not say that any irregularity has not caused injustice and so does not matter. But even that does not exist, because he must be held to the consequence in both ways. My learned friend says that the Criminal Procedure Code does not apply, and as such as proceed. So he cannot have resort to Section 537. And then you get back to a very narrow point that the trial, as I submit, is clearly in contravention of Rule 24 of the Rules of Procedure. It is a complete irregularity and there is no way of curing it. Their Lordships proceed:

‘Their Lordships are unable to regard the disobedience to an express provision as to a mode of trial as a mere irregularity.’

In other words, you cannot in one trial charge people collectively unless they have committed all the offences collectively, which admittedly they have not done. Even on the extended words which the Judge Advocate read they would not apply because one thing is quite clear in relation to the charges, and that is this, that some of the accused are not in any manner liable for the offences alleged to have been committed by others. Therefore I submit that this trial is wholly illegal. The judgment proceeds:

‘Such a phrase as irregularity is not appropriate to the illegality of trying an accused person for many different offences at the same time and those offences being spread over a longer period than by law could have been joined together in one indictment. The illustration of the section itself sufficiently shows what was meant.’

The remedying of mere irregularities is familiar of jurisprudence, but it would be an extraordinary extension of such a branch of administering the Criminal Law to say that when the

Code positively enacts that such a trial as that which has taken place here shall not be permitted that this contravention of the Code comes within the description of error, Commission or irregularity.

‘Some pertinent observations are made upon the subject by Lord Herschell and Lord Russell of Killowen in *Smurthwaite vrs. Hannay*, where in a civil case several causes of action were joined; Lord Herschell says that “If unwarranted by any enactment or rule it is much more than an irregularity”, and Lord Russell of Killowen in the same case says, “Such a joinder of plaintiffs is more than an irregularity; it is the constitution of a suit in a way not authorized by law and the rules applicable to procedure”.’

‘With all respect to Sir Francis Maclean and the other Judges who agreed with him in the case of in the matter of *Abdur Rahman*, he appears to have fallen into a very manifest logical error in arguing that because all irregularities are illegal, that therefore all things that may in his view be called illegal are therefore by that one adjective applied to them become equal in importance and are susceptible of being treated alike. But the trial was prohibited in the mode in which it was conducted, and their Lordships will humbly advise His Majesty that the conviction should be set aside.’

And I submit it does not require much argument. It is therefore wrong on the face of the charges with which these men are charged, and I submit that this trial is wholly illegal and I ask you to hold it so.

That is as far as I will go on the record on the points which arise for your decision, and there are very few points indeed. I will plainly and briefly state to the Court the points on which I rely, so that there may be no room for mistake or equivocation about. I say that this is a case of men not acting on their own in any struggle or waging war at all. This is a case of men as part of a regular organised army, accepted as such by their opponents, fighting a war under the directions of a regularly formed Government. That being so, I submit that they are subject to the ordinary laws of war with which I have troubled you at some length, namely, they are entitled to all the rights and immunities of belligerents. My submission is that to the extent to which this is a matter pertaining to war and the conduct of war it is outside the municipal law. But I am afraid sometimes in the narrow precincts of a Court like this, one may say: ‘What have I got to do with international law?’ But fortunately for myself I am fortified in this case so that I can fall within the four corners of the Indian enactment, i.e., Section 79. I say that if my first submission as to the jurisdiction of municipal law and its non-application is not upheld by this Court—though I submit it should be—I say that within the meaning of Section 79 it is quite plain—you are bound to give effect to it and I have submitted authorities—that the word ‘law’ as administered in Britain and India recognises the principles of international law. And therefore, if a thing is justified by law, I can plead justification before this Court under Section 79. That is my first point.

My second point before the Court is that as regards question which were incidental, I do not wish to repeat them here, though I wish to submit to the Court that the question of allegiance is irrelevant to the issue, but to the extent to which it is relevant I have already submitted that when the time arrives in relations between the Crown and the Colonies, the Colonies are entitled to throw off their allegiance on the outbreak of war for the purpose of their liberation. And I have given you the most classical instance of those who are now the friends of Britain and, if I may say so, their warmest and greatest supporters in the task of saving civilisation. You could not have a stronger instance than that.

Then the next point which I ask the Court to hold is that on a question of fact entirely, in so far as the Indian National Army was concerned, it was a voluntary organisation. Even if there were conscription, it does not make any difference in this case, because there are countries where there is conscription and punishment attached to it even today. But it has become fashionable to say:

'Oh, there was torture and coercion' and all the rest of it, and I ask the Court to hold that it was entirely free from any such complaint. At all events, apart from any hear-say on the evidence recorded before this Court, I have already submitted that the people who complain of torture fall into four classes: there were those who prove that in two cases it was for reasons which are self-confessed in one case and practically admitted in the second case. The first was refusing to do fatigue and the second case was cow-killing. As to the other cases of an isolated character, they are exaggerated, and deserve nothing else but contempt at your hands. If men were asked to do fatigue duty, merely because they have to carry baskets or make beds for the purpose of sowing vegetables, if they say it was torture, I hope my learned friend will not use that word in connection with that conduct.

Then I ask the Court to hold that in any event this evidence is totally irrelevant for the purpose of this case, for the reasons which I have submitted, namely, that the ground on which that evidence was attempted is entirely proved not to exist.

The next thing that I submit to the Court is that the evidence with reference to the alleged charges of murder would be really covered, if I am right in my first submission, by the fact that they are part of the prosecution of the war, in that these people were sentenced by Court Martial to be shot under the proper law. The next thing I ask the Court to hold is that there was an organised Government, that a very large number of Indians in the Far East owed allegiance to this Government which was recognised, having had ceded to it territories which are mentioned, and it was by this Government that war was declared, and the Indian National Army fought this campaign.

I will hand over to the learned Judge Advocate the list which I offered to give him yesterday on the point which my learned friend on the other side attempts to make, in that as if there was some provision as to flogging, intending possibly thereby to argue that the whole of that Code was an uncivilized Code. I think he was snatching at a complete straw, because as to rest of the Act he admitted that it was in consonance with the Indian Army Act. And the only thing that he referred to is corporal punishment. I am therefore handing to the Judge Advocate provisions of the law in which the same thing appears under a different head, in force when the Indian Army Act was in operation.

Judge Advocate: Are you referring to Section 32 of the Indian Army Act?

Sri Desai: My learned friend tried to make out as if whipping was a punishment which was abolished with reference to the army in this country, and I submit that he was entirely mistaken.

Judge Advocate: The very first sentence in writing that you have given is wrong. You have got flogging under the Act as it stands. Punishment of whipping can be inflicted on menial servants up to a maximum of 20 strokes—that is what is written here, and the correct thing is 12 strokes on active service.

Sri Desai: If I am wrong, I must correct myself.

Judge Advocate: I have corrected it now.

Sri Desai: The point, Sirs, which I am trying to labour before the Court is this: In addition to the provisions in the Indian National Army Act, there are provisions under the Defence of India Act and in the ordinances. All of them have got to be taken together to see whether or not, and what punishment is permissible.

By Ordinance 3 of 1942—if necessary we will produce the actual copy of the Ordinance before you—whipping was ordered as a punishment.

Let me get back to the point: The point really is that in so far as the governance of the Army is concerned, it was governed by an Act which, except for the purpose of whipping, has been practically or tacitly admitted to be the Indian Army Act. As regards whipping, I submit to the Court that that kind of punishment exists, though not in the Army Act wholly, in the three

Ordinances which are reproduced. Supposing to the extent to which there was an excess of the number of strokes, I submit with very great respect that it is not going to make an uncivilized army because of that. Therefore, substantially the point is, there is an army governed by Code which is substantially, if not actually, word for word, the same as in the Indian Army Act.

I next come to the question that, in fact, the alleged atrocities—that is the mildest word that can be used from the point of view of my learned friend—which are said to have been exercised for the purpose of getting enrolment to the INA are in fact not true. The accused are not charged with it, nor have they anything to do with it. They neither did it, nor permitted it, nor encouraged it, nor have they any knowledge of it. That, Sir, is the actual position so far as that charge is concerned.

Then, coming to the alleged charge of murder and abetment, I have dealt with that and I have satisfied the Court that the execution of the sentences has not been proved.

My next submission to the Court is that this trial is wholly illegal.

My next submission to the Court is that so far as the construction of the words ‘Offences triable by a Criminal Court’ is concerned, the Court must have reference to the only enactment which says what are the offences triable by the Court, and you cannot do by saying that the Criminal Procedure Code is not applicable—and if it has to be resorted to, then it has to be stated: First, this charge is not triable at all. Alternatively, in any case, this charge is not triable except on the complaint of a Local Government or an officer authorized in that behalf, and such a complaint does not exist. And for this reason my clients should be declared innocent of the charges against them.

The last thing that I wish to say is that if any new or fresh authority is cited by my learned friend which I had no opportunity of meeting, I should be permitted to hand in a very short statement, covering a single page, as to why those authorities if they are relied upon are not applicable to the facts of this case or to the decision in this case.

Finally, Sirs, I acknowledge with appreciation the courtesy and attention that has been given to us, and I hope that when I hand over signed transcript to each member of the Court, it will receive such attention as it may deserve.

Judge Advocate: With regard to your last submission, under what rule are you applying to make another address?

Sri Desai: I do not pretend that this is a rule. It is a matter of common justice. If any authority is cited by one side which the other side has never had any opportunity of seeing or meeting, with the best of imagination he could not possibly deal with it. Therefore, common fairness demands that he should be given a chance to explain. All that is forbidden is an address to the Court. But surely for your own assistance, if we may pretend that we are able to give any assistance, if anything is cited by the other side which is not seen by me, surely I should be allowed to present to the Court a very short resume of my grounds on which it is not applicable.

Judge Advocate: Would that not apply to any case in which your opponent had the last word?

Sri Desai: Then the law is accepted. My learned friend will not contradict it. Even when a man has no right of reply and a fresh authority is cited, he has a right to answer. I hope my learned friend will agree with me there. It is a rule of common fairness. You do not need a rule for this: that a thing which is never urged before this court, is urged before this Court, and no reply is allowed.

Judge Advocate: As I have often told you, gentleman, a Court Martial is bound by very rigid rules outside which they cannot go. The rule is laid down for your strict obedience by the Indian Legislature, and whether rightly or wrongly you cannot go outside that rule. Rule 48 of the Indian Army Act is the only rule I know with regard to the right of address, and it reads as follows:

(Reads Rule 48 of the Indian Army Act)

That rigid rule is for your strict compliance.

Sri Desai: There is one point I would like to urge. The words are: 'The Prosecutor may reply.' If the Prosecutor confines himself to merely replying to what I have said, I have nothing to say. Let him be confined completely to what I have argued by way of reply, and I am quite content. I am glad that though the ruling is partly against me, it is partly in my favour also. Let that ruling be strictly followed, namely that it will be enjoined on the Prosecutor that he does nothing more than reply to what I have argued. Then I am quite content.

Judge Advocate: The Court regrets they are unable to permit a further address by the Counsel for the Defence after the address of the Counsel for the Prosecution.

Sri Desai: Would the Court direct that the Prosecutor would only reply what I have argued and nothing more? You cannot have it both ways.

Counsel for the Prosecution: That is not the meaning of the word 'reply', I submit.

Sri Desai: If my friend thinks that he is supporting the cause of justice by saying that I cannot reply to a new matter in case of law, that is a new law. Unless he is prepared to submit to this restriction, I submit the law lays on him the duty merely to reply to what I have said. I have nothing more to say, justice or no justice. I hope my learned friend cites nothing that is not strictly relevant to what I have said.

Counsel for the Prosecution: My submission is that it is not replying to what you have said but it means addressing the Court on the case. I ask for an adjournment for my address and I have to ask for an adjournment up to Saturday. What I intend to do is to give my address in writing, if not the whole of it, at least the largest part of it.

President: The whole of your address on Saturday?

Counsel for the Prosecution: I think so. But I would suggest that an extra hour might be thrown in. If I have it in writing, it will not take so long.

Sri Desai: I have no objection.

Counsel for the Prosecution: To be on the safe side, an extra hour might be put in on Saturday.

President: No objection?

Counsel for the Defence: Certainly not.

Application for adjournment by Sir P. Engineer.

Note by the Court.

The Counsel for the Prosecution requested an adjournment until Saturday, 22nd December 1945 for the purpose of preparing his closing address. The Court allowed this adjournment.

At 16.30 hours the Court adjourns until 10.00 hours on 22nd December 1945.

18th December, 1945.

2. INA Trial—Summing up by the Judge Advocate, Col FCA Kerin, 29 December 1945

GOI, Defence Department, File No. 495/INA, NAI.

Summing Up by the Judge Advocate

Gentlemen,

For some time past you have been listening to a case which will have given you, as naturally it must, that very deepest anxiety and concern. It is not often that a Court Martial has been called upon to decide issues, both of fact and law, of such importance and complexity as have arisen in this case—a responsibility which now devolves upon you, and to which is linked the heavy burden

of establishing the guilt or innocence of the three accused arraigned before you on such serious charges. It now become my duty to assist you to the best of my ability in discharging that onerous task by summing up to you to law, its application to those charges, and to place before you the issues of fact raised by the Prosecution and the Defence, respectively. In so doing, however, I wish to emphasise the impartial attitude which is enjoined on me by the terms of my office and to explain that whilst my function is to advise you on questions of Law as unambiguously and clearly as possible, I am bound to leave questions of fact to your sole decision, for of such questions you are constituted the sole judges. It is no part of my duty to express any opinion or fact, and I would accordingly request that if, in the course of my summing up, I should inadvertently say anything which might raise an impression that I am expressing an opinion on the evidence, you will not regard any such remark of mine in that light. It may be, for instance, that I shall have occasion to refer to some incident as having happened, or of some conversation as having taken place. But that I shall mean that according to the evidence to which I am referring such incident has happened or such conversation has taken place, but I thereby express no opinion as to the credibility of the witness who affirmed it. I say this in order to deter any member of the Court from imaging that any expression I may make use of conveys the very slightest hint as to the effect which the evidence may have had upon my mind.

The time has now come for you to consider the evidence and to accept or reject it as you so think fit. In so reaching your findings you are entitled to take into consideration only the evidence which has been given before you at this trial, together with the unsworn statements of the accused. This imposition is placed upon you by the terms of your oath, and it is not necessary for me to remind you of the vital importance of excluding from your consideration anything you may have heard concerning this case outside the four walls of this court room. One would be blind to realities if one ignored the fact that this and other connected trials have attracted public attention both in newspapers and otherwise which in the ordinary course of everyday life must have come to your notice in some form, but you are bound to ignore all such extraneous reports and opinions and to base your verdict solely upon the evidence in the record of the proceedings here before you. In the same connection, I would point out that you have had the benefit of hearing the very eloquent addresses of the Learned Advocate General and the Learned Counsel for the Defence. But I would ask you to distinguish carefully between the evidence which you have heard and the inferences which the respective parties have asked you to draw from that evidence. Such arguments are valuable inasmuch as they suggest lines of thought for the Court to consider, but nevertheless, it as your function, and yours alone, to decide what facts you consider proved in evidence, and then to draw your own inferences therefore.

Throughout British and Indian Criminal Law there is a first principle which demands your attention from the outset. It is one of which you probably are aware, but which is of such importance that I make no apology for re-stating it. In short, the burden of proving the guilt of each accused, of every ingredient of the offences with which they are charged and of every fact which is alleged against them, is upon the prosecution, and it is for the prosecution to satisfy you by relevant evidence, and beyond reasonable doubt, of the accused's guilt. The accused are presumed to be innocent until they are proved to be guilty and it is for the prosecution, if they can, to prove them guilty and not for the accused to establish their innocence. In the connection, I would also draw your attention to the very valuable guide provided for you in Section 3 of the Indian Evidence Act which indicates the degree of certainty of proof required. (Read) Whenever, therefore, you have a reasonable doubt, be it on the main or on any subsidiary issue, you must resolve it in favour of the accused.

Counsel for the Defence at the close of his final address raised two pleas, one to the jurisdiction of the Court to try the Civil offence of waging war laid under IAA .S. 41, and relating to the alleged misjoinder of charges in the charge sheet. Both of these might properly have been raised at the commencement of the trial since, if allowed, either of them would have halted the court at that stage. I deal with them first for this reason, so that you may have my opinion on them as questions of law, placed before you proceed to turn your minds to the consideration of the other issues raised in this case.

It has first been argued by the Defence that the offence under Section 121 IPO is not a 'civil offence' within the meaning of the definition of 'Civil Offence' given in Section 7(18) of the IAA, and that therefore such an offence is not an offence which could be tried and punished under Section 41 of the IAA.

In the alternative, it is argued that an offence under Section 121 is such an offence as could after sanction given by a proper authority under Section 196 CrPC, and that therefore this Court cannot try such an offence without previous sanction from that proper authority.

These arguments are based on the definition of 'Civil Offence' given in Section 7(18) of the IAA. Before I interpret the definition of 'Civil Offence' as given in that section, the Court should understand the context of the words 'Civil Offence' as used in Section 41 of the IAA.

Analysing Section 41 of the IAA, it will be found that it deals with four things: person, place, particulars of offence, and punishment. It is a section which deals with a number of offences turned into offences against military law by the use of the words 'Civil Offence', which expression is defined in the Act as an offence, which, if committed in British India, would be triable by a criminal court. When an accused is charged with an offence under Section 41, IAA reference has to be made to 'particulars of offence' to see whether the acts alleged against the accused amount to an offence as defined in some other law; but that reference to an outside code is confined only to the particular or the ingredients of an offence and to no other purpose.

The Defence construe the words 'triable by a criminal court' as, triable by a criminal court *without the sanction of outside authority*, that is to say, an offence which can be tried by a criminal court on its own authority. But this construction is confusing. The words, 'triable by a criminal court' in this definition qualify and control the meaning of an offence. Here the triability by a criminal court has NOT to be seen in relation to a person or place, but to the nature of an offence. The use of the words 'if committed in British India' in this definition goes to show that acts alleged to have been committed should amount to an offence in the eyes of a criminal court in British India, according to the law then in force in British India—and nothing else. Thus, an offence to be a civil offence within the meaning of Section 41 should be an offence for which an accused could be charged before any Court which exercises ordinary criminal jurisdiction in British India. The true meaning of the definition is that any act or omission which constitutes an offence for which an accused person could be tried by a criminal court of competent jurisdiction in British India amounts to a civil offence within the meaning of Section 41, and such a civil offence can be triable and punishable by a Court-Martial under Section 41 of the IAA. To ascribe any other meaning to the definition would be inconsistent with the IAA itself.

It is common knowledge that a Court-Martial is convened to try a particular person for a particular offence, and continues so long as that object remains unfulfilled. No sooner is the trial conducted and concluded according to the rules of procedure than the Court ceases to exist. It sits at any place to try an accused for an offence committed anywhere. It can be said to be a mobile Court brought into being for a specified purpose; it has no fixed territorial jurisdiction; and it does not require anybody's sanction to try a particular case, because it is the creature of a specified authority, viz., the Convening Authority. It would be unreasonable to suggest that such a Court

should require somebody's sanction to take cognizance of a specified offence which it has been convened to try. If such an interpretation were to be put on the definition of the words 'civil offence', then the very purpose of the Indian Army Act would be frustrated. It is within your knowledge that the Army moves from place to place in time of war; it operates in any part of the world including enemy territory; it may be operating in a country where there is no civil government. Suppose, for instance, that an Indian sepoy were to commit a civil offence of this type in Italy and it was proposed to put him up for trial by Court-Martial; if the arguments of the defence were to be accepted, he could not be tried at all, in as much as there would be no provincial Government there to sanction the prosecution. Could it be possible that the Legislature ever intended to fetter the powers of the general Court-Martial in such a way?

For these reasons, gentlemen, I advise you that you have jurisdiction to try the accused for the offence with which they are charged.

With regard to the second point, IAA Rule 18(A) and (C) provides that a charge-sheet shall contain the whole issue or issues to be tried by a Court-Martial at one time; and a charge-sheet may contain one charge or several charges. IAA Rule 24, as now amended, reads that any number of accused persons may be charged jointly and tried together for an offence averred to have been committed by them collectively; and any number of accused persons, although not charged jointly, may be tried together for an offence averred to have been committed by one or more of them, and to have been abetted by others; that is, abetted by the others or other accused; but in such latter case, notice of the intention to try jointly shall be given to each accused, and he may claim a separate trial either by application to the convening officer, or to the Court.

It has always been the military practice, and a practice which I consider justified by these rules, that where there is a joint charge against A and B, there may be included in the same charge-sheet separate charges against B. Where separate charges against one or more, but not all, of the accused, are so included, the accused so separately charged may claim to be tried separately on such charges. See IAA Rule 68(E). This is a claim that any accused may make before pleading to the charges.

Applying the above to the charges in the present case, it would appear that the separate charges against individuals accused of murder and abetment of murder have been properly included in the charge-sheet.

The accused or their learned Counsel did not apply for separate trials on the charges in question, nor have they suggested that the accused have been embarrassed in their defence by the inclusion of these particular charges in one charge-sheet.

All that is contended is that on a proper construction of Rule 24, the joint trial on all the charges is illegal.

It is also argued that such a joint trial of three accused persons on a number of charges is illegal under the provisions of Section 233 and 234 of the Criminal Procedure Code, and authorities have been cited in support of this contention. In my view this Court is not bound by the procedure laid down by these sections for joint trial and indeed it has been conceded that the Criminal Procedure Code does not fully apply to Courts-Martial. The validity of the joint trial must therefore be considered in relation to the Indian Army Act Rules.

Now therefore considering the joint effect of Rules 28, 24, 68, I am of the opinion that the joint trial of the accused on the charge-sheet before this Court is permissible and legal, and advise you accordingly.

Before you are advised to consider the applicability of International Law and the propositions based thereon, I should draw your attention to a few matters, viz.

- (i) The accused are ICO's of the Indian Army holding commissions at all material times and remain subject to the Indian Army Act;
- (ii) They are natural born subjects of HM the King Emperor of India and are amenable to the laws in force in British India;
- (iii) They are being tried for offences under the Indian Army Act read in conjunction with the IPC and are so liable and punishable.

Under these circumstances the Defence plead for the consideration of rules of International Law and of different aspects of facts proved and disproved bearing on these rules. In other words, while claiming immunity from the consequences of individual liability for acts which may be proved to have been committed by the accused and which may amount to offences according to the laws to which they are subject, the Defence claim justification for these acts under the rules of International Law.

In putting to you questions of International Law which have been argued in this case, I propose first to summarise briefly the evidence on certain matters regarding the formation and existence of the Provisional Government of Free India. I shall then examine the propositions of International Law which have been raised by the Defence and Prosecution respectively, but in that connection I do not intend to restate all the authoritative judicial decisions quoted by both sides which are embodied in extense in their arguments. I shall refer to these authorities and occasionally quote them to you with a view to explaining the proposition enunciated, and if you wish me to refer you to any particular authority I shall be happy to do so in closed court.

The establishment of the Provisional Government of Free India is stated to have been proclaimed by Subhas Chandra Bose at a meeting at Kathay Building, Singapore, on 21st October 1943, in the presence of delegates representing the Indian Independence League Branches in East Asia. The proclamation issued is embodied in Exhibit FFFF. This Government declared war on Britain and the United States of America. Mr Subura Ohta deposed that his Government recognised the Provisional Government and that he drafted the original announcement. You have heard from Mr Aiyer the scope and functions of that Provisional Government and that its executive machinery consisted of the various branches of the Indian Independence League throughout East Asia. Lieut Nag and Mr Matsumoto testified that the Government was recognised by the Axis Powers, the latter stating that Subhas Chandra Bose had asked Japan's Allies through the Japanese Government to recognise the Provisional Government as against this the Prosecution argue that such activities as it pursued in Malaya cannot be said to be in exercise of any function as regards Government of Free India. Then you had in evidence from Mr Nanda that the total Indian population in East Asia was over two million and in Exhibit XXXX you have some evidence of the strength of the Malaya Branches of the Indian Independence League but, at the same time, I am bound to point out that you have no definite evidence of the total number of Indians whom the Provisional Government represented at one time. There is evidence also that the Japanese Government appointed a Mr Hachiya as Minister to the Government, although at first he was not furnished with credentials and it was only later on representations by Subhas Chandra Bose that they were sent. They apparently never reached him. As to the resources of the Provisional Government, Mr Dina Nath told you that there was an Azad Hind Bank in Rangoon and that in Burma the contributions through the Netaji Fund Committee, in cash and kind, were about 15 crores. In Malaya these contributions amounted to 5 crores. All these funds were deposited in the Bank in the name of the Finance Minister, who allotted funds to various Departments. The prosecution case on that point is that these contributions in cash and kind could not be looked upon as regular taxes and that they should be regarded merely as donations and not a regular revenue to a responsible government. That of a purse is a matter for you to decide.

As regards territory it is contended that the Andaman and Nicobar Islands were ceded to the Provisional Government. Lt Nag so stated and also Lt Col Loganathan, but he added that he did not take over the administration beyond the Education and Self-sufficiency Programme, and to a certain extent the Department of Justice, because the Japanese would not hand over the police department to him. On the other hand, as the Defence pointed out, ceding territory is not to be confused with taking over territory. On the question of the Japanese right to cede this territory you will remember the passage from Oppenheim's *International Law*, Vol. II, page 341, which expressed the view that any occupying nation may neither annex a country while the war continues nor set it up as an independent state. Another territory said to have been handed over to the Provisional Government was an area of about 50 square miles in Burma known as Ziawadi, where about 1,500 Indians lived. According to Shiv Singh (DW 9) the Provisional Government took possession of this territory about June 1944, at which time a Mr Permanand was manager. The owner is said to have been an Indian who had returned to India. There was a sugar factory on this territory as well as a hospital and convalescent home for INA and there was also an office of the Azad Hind Dal, an organisation charged with the administration of occupied areas. Shiv Singh said that the whole area was administered and run by the Provisional Government. This territory had been handed over to the Provisional Government by Mr Permanand and Mr Dina Nath testified in that connection that at a public meeting at which Subhas Chandra Bose had appealed for funds Mr Permanand had come up and said 'I formally hand over the estate to the Provisional Government of Free India.' Nevertheless Shiv Singh maintained that there had been an agreement between the Japanese Government and the Provisional Government that (quote) 'Our Government was to be the master of all that property which belonged to other owners who were not present.' There is no evidence, however, of any formal cession by the Japanese of this particular territory nor of its handing over by the actual owner. On that evidence the Prosecution maintain that the administration did not amount to an administration of liberated territory and that all that had occurred was that the manager had donated the income of the area to the Provisional Government. Finally Capt. Arshad told you that when he went to the Imphal Front in March/April 1944; he learnt from official sources that the Azad Hind Dal was administering areas in Manipur State taken over by the INA and that he himself had seen reports concerning the administration of those areas and that arrangements for medical aid to the villagers, collection of supplies and settlement of land disputes, were in operation under the direction of the Azad Hind Dal and Major M.Z. Kiani. He received these reports from a Capt. Malik in his official capacity as G-1 Division. The areas administered were about 1,500 square miles in extent. As to the period during which these areas are said to have been administered you will recollect that there is evidence that the INA commenced to withdraw from the Manipur area towards the end of June 1944. Counsel for the Prosecution has drawn your attention to a letter dated 21st June 1944 (Exhibit 5L) from Subhas Chandra Bose to Col Loganathan in which he stated that new organisation called the Azad Hind Dal had been started 'who will be going to India in the wake of our victorious armies' and he has asked you to accept an inference from this—which is of course entirely at your discretion—that up to that date the Azad Hind Dal had not gone to India, and so could not have administered this territory. In addition to those matters relating to Government and Administration, there was also of course the Indian National Army functioning under the authority of the Provisional Government. I shall have more to say of this later, but I would here remind you that its strength in August 1944, according to Lt Nag, amounted to about 40,000 men.

Counsel for the Defence has asked you to take judicial notice of an article in a weekly periodical named 'Stamp Collecting' for the purpose of showing that the Provisional Government of Free India were about to issue postage stamps. Judicial notice is the cognizance taken by a court itself of

certain matters which are so notorious or clearly established that evidence of their existence is deemed unnecessary. *Inter alia*, a court may take judicial notice of matters of history, literature, science or art. Alternatively, the opinion of experts expressed in any treatise commonly offered for sale and the grounds on which such opinions are held might be proved in certain circumstances by the production of such treatise. In this instance, however, assuming that this book is a treatise and its author an expert, the particular article does not express the author's opinion but is merely the reproduction of a letter from a correspondent in which he relates that the Japanese had prepared such stamps. In my opinion, therefore, you cannot take judicial notice of the truth or falsity of the contents in the absence of supporting evidence in proof thereof.

International Law. You have heard the evidence for the Prosecution and for the Defence which has been discussed at length by both sides in their addresses to the Court, each side arguing that certain facts are established by them which support their respective contentions. I have also briefly summarized for you some of the main contentions. It will be entirely for you to hold which facts are established and which are not. My duty is to place the case for both sides fairly and squarely before you. The Defence has been based on two grounds: The first being that on facts established by them it is apparent that certain propositions are fully made and that these propositions bear out certain rules of international law applicable to this case.

For consideration of the rules of international law as propounded by the Defence, it is argued by them that the following facts have been conclusively proved which, I may here remind you again, are matters for your decision:

- (1) That the Provisional Government of Free India was formally established and proclaimed;
- (2) That this Government was an organised Government;
- (3) That this Government was recognised by the Axis Powers. This recognition proves that the Government of Free India had reached the state of statehood;
- (4) That this State had an army which was properly organised, and functioned under regularly appointed Indian officers;
- (5) That the main purpose for which the Indian National Army was formed was for securing the liberation of India, and ancillary to that purpose, to protect the Indian inhabitants of Burma and Malaya in particular, during the course of the war;
- (6) That this new Indian State acquired territory of its own as any other State might; and, finally,
- (7) That the State had resources on a large scale to fight this war.

On the above facts it is maintained by the Defence that, having regard to the conditions under which the Provisional Government had been formed, and was functioning, it was entitled to make war and did make war, for the purpose of liberating this country. If such a Government is held to have a right to make war, a right recognised and accepted by all nations, then according to International Law two independent countries, or two States, may wage war on each other, and those who carry out any action in due prosecution of that war, apart from war criminals, are outside the pale of municipal law. That is the first proposition.

Gentlemen, it will be your duty to look into International Law as cited and explained by both sides, and if you are satisfied that the above proposition, and others which follow, are the accepted propositions of International Law, you may then decide one way or the other. At this stage, I may also remind you that the main contention of the Prosecution is that British Courts, and as a matter of fact British Indian Courts, are not entitled to look into International Law and administer justice on a question which is purely a domestic matter between a State and its subject. This contention

may be considered by you at a later stage because for the moment I am explaining to you the contentions of the defence based upon considerations of International Law as put by them.

On the first proposition, the defence relies upon a passage at page 6 of Pitt Cobbett's International Law, Vol. II, which defines international war and the relation between States making war, and neutral States. (Reads). It is suggested therein that when a war in the above sense is being carried on, the contesting parties assume those relations with each other, and with neutral States, which are regularised by rules of warfare accepted by all nations. It is for you to say whether this passage which is given in the book under the heading 'Relation or State of War' lays down that when an insurgent State is making war with a parent State, the individuals taking part on either side are not governed by what is called Municipal Law but by international law. It will be instructive to read the following lines which follow those quoted by the Defence:

'In cases of civil war, indeed, where the circumstances are such as to affect the interests of other States in a manner similar to international war, and where the war is waged on either side by a community or body having an organised Government capable of carrying on war according to established rules, a recognition of belligerency is, as we have seen, usually accorded. And the assumption by a State in its repression of armed rebellion of rights as against other State and their subjects which strictly belong only to a state of war, will have similar effect. *In such cases the war will rank for external purposes as a war between States, even THOUGH ITS INCIDENTS in other respects may remain not subject to the law*' (Pitt Cobbett's International Law, Vol. II, p. 6).

In my opinion the last lines of that authority and to show that the fighting between a Parent State and insurgents may be considered as a war in its international sense but that that fighting may still be considered a rebellion so far as the two warring parties are concerned. In such circumstances the relations in respect of other States and their subjects arising out of the fighting may be governed by International rules, and the same in respect of the Parent State and the insurgent State may still be governed by the domestic law.

It will be advantageous to note that the relations of two warring States, for the purpose of considering the consequences of acts done by each, will be later on discussed in connection with rights of belligerency to which I will direct you, attention.

The next passage cited by the Defence is from Wheaton's International Law, Vol. II, page 98. It reads as under:

'War in the absence of any international authority competent to suppress effectively international wrongs has always been held legal by international law.'

This passage is part of an exposition by the author of the 'Nature and Kinds of War.' It has been argued on the basis of further quotations from the same book that a civil war may exist, that a subject nation may organise itself and raise its hands to fight against the ruling power and that in making such a war, a stage is attained where a war in the international sense occurs. When such a stage is reached, a *de facto* political organisation of insurgents automatically, it is argued, acquires rights of belligerency. It will, therefore, be essential for you to consider what are rights of belligerency, who grants them or how they are acquired and whether there is a clear rule of International Law on these points which would command itself for your adoption. The Prosecution has quoted the following passage from 'International Law' by Lawrence at page 328:

'Every independent State decides for itself whether it shall make war or remain at peace. If it resorts to hostilities it obtains as a matter of course all the rights of a belligerent. Other States have no power to give or to withhold them. But the case is very different with regard to such communities as are not already States in the eye of International Law, though they are striving to become independent and to have their independence recognised by other powers. Technically, they form

portions of old-established States; practically, each is in revolt against the State organisation to which it belongs in law, and is endeavouring to set up a separate State organisation for itself or to gain control of the existing organisation. By the Municipal Law of the country of which the community is still legally a part its member and traitors and liable to punishment as such. Yet they are carrying on open war under the orders of authorities analogous to those of recognised States. How then are they to be treated? International Law gives no answer to this question as far as the Government against which they are in revolt is concerned. Questions between it and its rebels are domestic questions to be resolved by internal authority.'

Then, quoting several passages from books on International Law, which are set out in the Defence arguments for your consideration, it is argued that when a war in the above sense is being fought between a parent State and insurgents, the individuals taking part in the prosecution of such a war are absolved from their liability for acts which would otherwise amount to offences against the domestic law. For the purpose of establishing the above proposition, three American cases have been relied upon by the Defence. The passage quoted from Hyde's International Law, page 1792, is from instructions for the Government of Armies of the United States in the field. That was during the war between the Federal and Confederate Governments. It may be remembered in appreciating the present proposition that the question of liability of an individual taking part in that war arose in those cases after the war had ended, when the rights of belligerency had already been granted by the Federal Government to the Confederate army. The law cited by the Defence would amount to this, that if the rebellious community is accorded the rights of belligerency, then the concomitants of belligerency, according to International Law, follow as a matter of right. But you have to see whether International Law recognises that recognition of belligerent rights will be accorded as a matter of right by a Parent State to a body of insurgents, and whether a Parent State is obliged to grant such rights and has no choice left in withholding recognition. The passage on page 200 of Oppenheim's International Law which has been quoted by both sides and materially relied upon reads as under:

'Recognition by third States is not as a rule binding upon the Parent State. Notwithstanding such recognition, it is entitled to treat insurgents as traitors. But the position is controversial with regard to recognition as a Belligerent Power granted to separate armies which comprise subjects of the enemy who are fighting to free their nation from his rule, and which are responsible to an authority recognised as representing the nation in question. Thus in 1918, during the World War, Great Britain, France, Italy and the United States of America recognized Czecho-Slovakia as co-belligerents. Similar recognition was granted in 1917 to the Polish National Army composed to a substantial degree of subjects of the enemy powers. It has been maintained that, as in the case of insurgents in a civil war, the enemy is entitled to disregard such recognition and to treat the members of the insurgent army, when they fall into his hands, in accordance with the provisions of his criminal law. The better opinion is probably that when such recognition is granted by the advisory to large bodies of men effectively organised on foreign soil in anticipation of independent statehood, a point is reached at which the belligerent, confronted with the disaffection and desertion of a considerable number of the subject engaged in hostilities against him, can longer without exposing himself to justifiable retaliation assert the provisions of his own criminal law as the only legally relevant element in the situation.'

According to this passage from Oppenheim, in a *de facto* war between a Parent State and an Insurgent State, a stage may be reached when the insurgent army may find itself in a position to take justifiable measures of retaliation against prisoners of war of the Parent State. In such a situation the Parent State may be obliged to grant rights of belligerency to the other party, in the interests of its own people. Thus the governing element here states in the granting or withholding of rights of

belligerence is whether one's own army would be exposed to retaliation by the insurgents if one did not grant them.

It is apparent from the above quoted opinions of international jurists of repute that in a conflict between a Parent State and an insurgent body the internal relations between the two are a matter of discretion on the part of the Parent State and that no definite opinion based upon a rule of International Law has been expressed by any of them. In such circumstances in matters of such immense importance and consequence, you must consider on what basis the question of belligerency is considered. The doctrine of recognition of belligerency in a war that is being carried on by independent States or by a State and a community thereof is considered by nations subjectively and objectively. It is however normally based on what is called the doctrine of expedience and self-interest of the State concerned. The instances of recognition of belligerency cited by the Defence and the opinions expressed by British and other politicians to which they referred were all expressed when Britain, as a neutral State, yet confronted with the question of according or not according rights to outside warring States or factions. In the first instance quoted, the struggle was between Don Miguel on one side and queen Donna Maria of Portugal on the other, in the year 1828. The then British Government recognised the party which was not the legitimate Government as a belligerent power. In the second instance, a *de facto* war was being carried on by Sardinia and Venice on the one side, and Austria on the other. Here, too, Britain recognised both sides as being belligerent powers as a matter, you may consider, of policy and self-interest. In the third case, Garibaldi and his officers were waging war against the constituted Government of Italy and the *de facto* war was then considered by the British Government in relation to belligerency rights in its own interest, and the course which was previously adopted was followed here.

From the isolated instance of the war fought between the Armies of the Federal Government and the Armies of the Confederate States, it may command itself to you to assume that International Law recognises the right of a subject nation to take up arms and to engage in a war of liberation, and that in making such a war, irrespective of the result, that is to say, whether the insurgent body becomes successful or fails, a stage may be attained when the insurgent body may acquire the status of a belligerent power in the eye of International Law so as to acquire all the rights of belligerency which are recognised and accepted under the law of nations. It is matter for your consideration whether the Indian National Army and its Government which fought against the Indian Army ever reached that stage when they automatically acquired rights of belligerency, under rules of International Law, or whether that stage was not reached at all.

I do not wish to read over to you all the quotations used in the arguments on both sides. To do that at random would be to confuse the matter. What I am trying to do at the moment is to put to you the questions involved in clean terms, leaving you to refer to the authorities quoted by both sides, when you come to consider your verdict in closed court.

In the decision that you may make on the propositions laid before you, you will also have to consider whether in a trial, where Indian Commissioned Officers of the Indian Army are charged with offences under the Indian Army Act, you are justified by law in considering the rules of International Law, because *prima facie* you are charged with the duty of administering justice according to the Indian Army Act and the laws in force in British India. It has been strenuously argued by the Defence that courts in England are bound by law to consider International Law in the dispensation of justice on the question before you. Reliance has been placed by the Defence on Blackstone's Commentaries, page 2237, which reads as under:

'In arbitrary States this law, where it contradicts or is not provided for by the Municipal Law of the country, is enforced by the royal power; but since in England and new royal power own introduces a new law, or suspend the execution in the old, therefore the law of nations (wherever

any questionnaires which is properly the object of its jurisdiction) is here adopted in its full extent by the common law, and is held to be part of the law of the land.'

This passage occurs in the Chapter headed 'Of Offences against the Law of Nations'. In support of this proposition, the case reported in (1939) Appeal Cases, page 160, was quoted. A passage from Oppenheim's International Law, Vol. I P. 36, was all cited in the same reference. (Read). The gist of the contention of the Defence on this point is that all such rules of customary International Law as are either universally recognised or have at any rate received assent of this country are *per se* part of the law of the land; and therefore, that this court should also consider the rules of International Law as explained by the Defence in the dispensation of justice in this case. But, in view of what the prosecution has stated, it will be for you to decide whether courts in England or as a matter of fact these in British India are bound by law to consider unequivocally rules of International Law. I may, in this connection, draw your attention to a passage on page 37 of Oppenheim's International Law, Vol. I. It reads as under:

'British statutory law is absolutely binding upon British Courts, even if in conflict with International Law, although in doubtful cases, there is a presumption that an Act of Parliament did not intend to over-rule International Law. The fact the International Law is part of the law of the land and is binding directly on courts and individuals does not mean that English law recognises in all circumstances the supremacy of International Law.'

It has been asserted by the Prosecution that British law does not permit consideration of International Law in a question affecting the State and its subject. It may, having regard to the laws of natural justice, look to and consider the law of foreign states or those of foreign nations (as was done in the case of 1939 Appeal Cases, page 160, relied on by the Defence), when one of the parties to the dispute happens to be a foreigner who is not *prima facie* subject to the laws of the local. Considering the passage quoted by the Prosecution from Halsbury's Laws of England, Vol. VI, page 504 (Read) paragraph 623, it should be established to your satisfaction that the law of belligerency as propounded by the Defence is accepted by England and is given effect to by English courts and for that matter by Indian courts, and that such enunciation of rights of belligerency is not inconsistent with any statute of the British Parliament or Indian Legislature or the laws made under their authority. You will have to consider and decide whether such rules, even if they be more in accord with informed opinion of jurists of repute on International Law, over-ride the existing statute law of the land, namely, the Indian Penal Code and the Indian Army Act. For the same proposition the Prosecution has quoted a passage from Halsbury's Laws of England, Vol. XXXI, page 509, paragraph 659. (Read) You may think, therefore, as I do, that you are bound to statutory enactments and judicial decisions which are placed before you.

The Defence has argued that the accused are entitled to roll on Section 79 of the IPC, which in substance is a defence granted to an accused, whereby he may plead that his acts were justified by law and, therefore, that they are no longer offences in the eye of the law. Here the words 'justified by law' are, according to the Defence, to be interpreted as 'justified by International Law'. For this proposition, the Defence relies upon Blackstone's Commentaries referred to above. The Prosecution, on the other hand, states that the word 'law' means the law in force in British India and no other law. There is no definition of the word 'law' in the IPC but the words 'local law' and 'special law' are defined in Sections 41 and 42 of the Act as 'law of a place' and 'law of a particular subject' respectively. Reliance is also placed on the case, reported in 47 Bombay, page 907. In that case four British Indian subjects committed certain acts in an adjoining territory belonging to Baroda State. A criminal prosecution was initiated against one by the other three, which ultimately failed. The persons prosecuted then charged the prosecutor and his witnesses in a British India Court

with offences under Sections 182, 193, and 211 of the Indian Penal Code. It was alleged that the accused gave false evidence in the Baroda court and therefore that they were liable to be punished according to the IPC. Their lordships in considering the expression 'by any express provision of law' appearing in Section 191 (which defines giving false evidence) held that the word 'law' used therein meant the law in force in British India.

The offence of waging war has been discussed in arguments by both sides from various points of view. It has been urged in the light of International Law, English law and Indian law. I should therefore place the matter for your consideration in that light.

The offence of waging war is an offence against the duty of allegiance to the State. The offence of high treason in England is an offence against the duty of allegiance to the King. The Prosecution has argued that the accused owed a duty of allegiance to the King as Indian Commissioned Officers holding Commissions in His Majesty's Indian Land Forces and also owed such a duty of allegiance as natural born subjects of HM the King. A breach of such a duty of allegiance might amount to an offence of waging war, as defined in Section 121 of the IPC and also might amount to an offence called high treason according to English law. *In substance*, the breach of such a duty, though termed separately in India and England, is punishable on the same principles under both laws. According to the Prosecution this has been supported by the authorities cited by them, namely, the cases of the King vrs. Casement (1917) 1 K.B. page 98; King vrs. Lynch (1903) 1 K.B. page 444; Jaeger vrs. the Attorney General for Natal (1907) Appeal Cases, page 326; and Aung Hla vrs. King Emperor, I.L.R. 9 Rangoon, page 404.

- (1) In the case of Casement, this Irishman, residing in German territory during the last war, persuaded other Irishmen who were prisoners of war in the hands of Germany to form an Irish Brigade with a view to liberate Ireland from British rule and he was charged with an offence of high treason for such acts. He was held guilty of high treason.
- (2) In the case of Lynch, a British subject, during the course of the South African War, in breach of his duty of allegiance, changed his nationality becoming a naturalized subject of the enemy State and helped them in fighting against his own King. He was charged with an offence of high treason and was found guilty of such charge.
- (3) In the case of Jaeger, it was contended that the accused no longer owed allegiance because the Crown failed to protect them. Such a defence was negatived in that case.
- (4) In the Rangoon case, while discussing the offence of waging war, their Lordships of the Rangoon High Court held that the principles of high treason, in consideration of the duty of allegiance, are generally applicable to a charge under Section 121 IPC.

Therefore, the Prosecution asserts that the accused before the Court committed a breach of duty of the allegiance that they owed to the King, in making war, which they in fact did, even though according to them it was a war for the liberation of India, that is to say, their country.

The question of waging war is now argued by the Defence from a new angle. It is suggested by them that these, accused and others, who were similarly placed with them in Singapore, were surrendered to the Japanese by the British who failed to protect them, that on such surrender as prisoners of war in the peculiar circumstances of the case, they as Indians were faced with the proposition of saving their country from the Japanese and were obliged to take up arms to free it, that in so doing they were justified according to International Law in throwing off the duty of allegiance they owed to the King in favour of what they owed to the country, and that in so doing they have not committed any offence, be it called an offence of high treason or waging war. Reliance is placed on the Declaration of Independence when the duty of allegiance to the King of Great Britain was thrown off by the people of America in favour of allegiance to their country. In

view of that instance, it has been argued that these accused were freed from the duty of allegiance that they owed to the King when they took an oath of allegiance to the Provisional Government of Free India, who had made a similar proclamation of independence. The Defence further contends that there is no obligation whatever which prevents a person who is a prisoner of war from fighting on his own for the liberty of his own country and no question of being guilty of breach of any duty of allegiance arises in such circumstances. In other words, a right to throw off their allegiance to the Crown has been claimed by the Defence under a so-called rule of International Law, which I must point out has not been substantiated by any authority on International Law.

It is true that there is no such thing as treason defined in any act of British India, but the whole law of offences against the State is codified in the Indian Penal Code. Treason is an offence against the State. High treason has been defined as an offence committed against the duty of allegiance as is apparent from the cases cited by the Prosecution. The essence of waging war against the King is that the offence is against the duty of allegiance. It is nevertheless an offence against the State as discussed in the Rangoon case. In considering, therefore, one of the elements of the offence of waging war, namely a breach of the duty of allegiance to the King, you may consider the aspects discussed above.

Having carefully considered all the arguments and authorities cited by both sides on this subject, it is my duty now to advise you that in my view this Court, as constituted, has not an unfettered discretion in the matter of admissibility of International Law, and its applicability to the facts of this case. In so thinking, I am bound to point out, however, that for weighty reasons you might disregard my advice and come to a different conclusion.

I have put to you the International aspects of this case and the time has now come at which I must leave those matters and consider the evidence on the charges without reference to International Law, but I must remind you that if you should come to a conclusion in favour of the accused on the propositions based upon International Law as argued by both sides and explained by me above, then you would have no need to consider what follows;

First (Joint) charge against all three accused

All three accused are jointly charged in the first charge under the Indian Army Act, Section 41, with committing the civil offence of waging war against the King contrary to Section 121 of the IPC, the particulars averring that they, together, at Singapore, in Malaya, at Rangoon, in the vicinity of Popa, in the vicinity of Kyauk Padaung and elsewhere in Burma between the 15th November 1942 and 28th April 1945 did wage war against His Majesty the King Emperor of India. That section of the IPC reads.

‘Whoever wages war against the Queen or attempts to wage such war or abets the waging of such war shall be punished with death or transportation for life and shall also be liable to a fine.’

The fact that the word ‘Queen’ is used in the section and ‘King’ in the charge need not trouble you because section 13 of the IPC provides that the word ‘Queen’ denotes ‘the Sovereign for the time being of the United Kingdom of Great Britain and Ireland.’ Waging war against the King is of course only constructively possible in India because the King is not in India and there can thus be no war waged against him in a personal sense. But it has been long held that the wording of the section may be construed in the figurative sense of the King as head of the State and as the external embodiment of lawful constitution and Government. Here in India the external embodiments of His Majesty the King Emperor of India are his lawfully constituted Government of India, the other agencies by which His Government is carried on as also his Army in India. It is in that sense, in the sense of waging war against the Majesty of the King, rather than in his personal capacity, that the accused officers are arraigned before you.

The words 'waging war' are plain words and they are not a term of art which would call for any lengthy explanation. Quoting a well-known authority (Ratanlal—'The Law of Crimes', Sixteenth Edition, page 270), 'these words seem naturally to import a levying of war by one who throwing off the duty of allegiance arrays himself in open defiance of his Sovereign in like manner and by the like means as a foreign enemy would do, having gained a footing within the realm.' Using the words 'waging war' as in their straight forward meaning, it is clear, for example that large number of persons in the Indian Army have, during the course of the late war, waged war against the Japanese Empire although they may not have been actively engaged in operations against the Japanese forces and although they themselves were not at any time fighting in the front line. Vast numbers of Indian and British troops were, as you are aware, engaged in that campaign on the lines of communication, in Base areas, in training in India to take their places in the forward area, and in defence of the coasts of India from Japanese attack. Can it be said that these persons were any the less 'waging war' against the King's enemies because they were not in the forefront of the battle? Nor is strict proof required that the Japanese were enemies of His Majesty, inasmuch as Section 57 of the Evidence Act permits you to take judicial notice of such matters of notoriety as 'the commencement, continuance and termination of hostilities between the British Crown and any other State or body of persons.' I shall not therefore attempt to lay down a definition of what constitutes waging war against the King and it will be for you to decide very shortly as a question of fact whether the acts and conduct of the accused individually can be said to justify the application of the words in this case. I would commend to you however, the remarks of the Chief Justice in an English case quoted in a 1943 decision of the Patna High Court in an appeal decision on a charge of waging war against the King (Jubba Mallah—45 Cr.L.J. 1944, page 608)—

'I think the rule of law may be laid down in a few words in this manner; to constitute high treason by legging war, there must be an insurrection, there must be force accompanying that insurrection; and it must be for the accomplishment of an object of a general nature. But if all these circumstances are found to concur in any individual case that is brought under investigation, that is quite sufficient to constitute a levying of war.'

With regard to those words 'of a general nature' they are of course intended to convey that assembly and rioting with the object of accomplishing some private enterprise, not resisting or calling in question the King's authority cannot be regarded as waging or levying war against the King. But where the object of the overt acts of accused persons is shown to be to subvert the King's Government in India, then it may assume the character of an enterprise of a general nature and amount to the offence charged. It does not matter whether the war is waged beyond the boundaries of British India. Nor are the numbers engaged and the manner in which they are equipped and armed a criterion of the offence, as was decided in the case to which I have already referred. I would just point out, however, that the Calcutta High Court has decided that the mere collection of men, arms and ammunition for the purpose does not amount to waging war. (Barindra Kumar Ghose, 37 Cal. 467). 'Insurrection' is defined in the Oxford Dictionary as the 'action of rising in arms or open resistance against established authority of Government restraint.'

There is now one important matter to which I am bound to draw your attention, not only in connection with the first charge but as bearing upon all charges in the charge-sheet. I do not know how you will regard those prosecution witnesses who joined the INA and took part with the three accused before you in the various transactions set out in the charge-sheet and with the same object in view, whatever it may have been. I can only say this that if at any time you should consider that they were accomplices, that is to say, guilty associates in crime, then it is my duty to point out to you the danger of convicting upon any charge upon the uncorroborated evidence of an accomplice. An accomplice may be considered to be a person unworthy of credit because his evidence is

tainted by the fact of his complicity and that he is now willing to turn round and give evidence against those with whom he was associated. The warning which I am required to give you is that you should very carefully consider the danger of convicting any of the accused on the uncorroborated evidence of an accomplice, although at the same time point out that it is within your legal province to do so if you so think fit, that is, if you consider him credible. The corroboration required is independent testimony which confirms in some material particular not only the evidence that the crime has been committed, but also that the accused committed it.

Ill-treatment of Indian Prisoners of War

Before dealing with the evidence on the charge of Waging War, propose to put to you these transactions concerning harassment and ill-treatment of Indian prisoners of war in Malaya, which are alleged to have been carried out with the object of forcing them to join the INA. And I must preface my remarks by emphasising the fact, which is common both to Prosecution and defence alike, that whatever be the relevancy of this aspect of the case there is not, and there never has been, the least suggestion that these three accused before you are ever personally engaged in the ill-treatment of prisoners or even that they were at any time present when men were tortured or ill-treated. You will recollect that at an early stage of those proceedings the Court called upon Counsel for the Prosecution to show the relevancy of these matters. Counsel then argued that the evidence which now proposed to lead would show that the accused were aware of what was going on, instanced by the fact that at various times they had made veiled threats as to what would be their fate if men did not join the INA. As further argued that ill-treatment and torture were committed so openly and notoriously that he was entitled to show that all three accused must have been aware of what was going on, and that with that knowledge they had urged upon prisoners the necessity of joining the INA. On these grounds you decided to admit that evidence. Counsel for the Prosecution has conceded in his closing address, and you may consider very properly so, that the evidence does not support his original contention that the accused held out any such veiled threats to POWs. In fact as you will remember, the evidence shows that on some occasions the accused emphasized the voluntary character of the INA. On the other hand, Counsel still maintains that these matter were of such notoriety that the accused could not but have been aware of them. But, as he rightly stressed, there can be no such presumption that the accused had any such knowledge, because on this issue like every other issue, it is for the Prosecution to satisfy you that they had the knowledge and not for the accused to show that they were ignorant of the matter.

Evidence of ill-treatment was opposed to by Captain Dhargalkar who said that on the 18th August 1942 he was removed to a concentration camp near Bidadari Camp. When he had arrived there he was not treated as an officer, and was made to salute Sikh sentries or to bow to them. He had to fall in with other prisoners to collect his food which was extremely bad, consisting merely of rice, sometimes dal and some spinach. He was kept in an 80 pounder tent which was full of white ants and on one occasion was refused treatment at the hospital. He stated that this establishment was entirely run by INA personnel. On the 3rd September 1942 he was removed to an officers' separation camp at Bidadari which had a notice board outside it with that designation. Again, conditions were relatively bad. Whilst there, Capt. Shah Nawaz and Capt. Sahgal visited the camp on occasions. He stated that the gist of their remarks was, 'Why don't you all join the INA rather than waste yourselves living under these conditions?' On the other hand, in cross-examination he admitted that the gist of Capt. Shah Nawaz's remarks was merely, 'Why do you not join the Indian National Army?' and on further pressure, that he could not single out from the others what Captains, Shah Nawaz and Sahgal, had really said and could only give a general impression, without regard to who said what. You will be surprised that Lieut. Dhillon is not in this

picture at all. The question for your decision now is, did this ill-treatment occurs in fact, and if so, whether the accused in visiting the separation camp and talking to the officers there knew they were using the conditions as a lever to make them join the INA.

Allegations of individual ill-treatment was also by Jamadar Muhammad Nawaz that on 13th September 1942 he, along with others, was taken to a concentration camp about 8 miles from Buller Camp. For three hours in the first way, they were made to carry cow-dung in sacks suspended on bamboos poles, and they were made to double with those loads and were beaten by sentries as they ran along. Finally they were made to mix the cow-dung with soda-ash. He was kept in the camp for six days and made to do fatigues. Although the witness stated that he never joined the INA, I must remind you that Captain Arshad (DW 12) contradicts that statement and is positive that on the occasion of Id-Ul-Fitr in 1942 he went to a camp in Singapore where Jamadar Muhammad Nawaz, together with a few other VCO's signed the INA statement papers. Captain Arshad is stated that this witness had gone to the concentration camp voluntarily as a protest against the arrest of Subedar Ahmed Khan on a charge of stealing.

I now come to what I may describe as the Kranji Camp incident, in which Havildar Muhammad Sarwar alleged that on one occasion a Subedar and a Jamadar accompanied by a guard arrived at the camp and ordered the men to fall in. The Jamadar delivered a lecture exhorting the men to join the INA, which they refused to do. The Jamadar and Subedar then took out their pistols and started firing on them and ordered the guard to fire on them, which they did. You will remember that he stated that two of the prisoners of war were killed and that they attacked the guard and that one of them named Sardar Singh was hit on the head with a spike and killed. Later the whole of the 7/22 Mountain Regiment was taken to a concentration camp, where the witness together with seven others was beaten and he himself was rendered unconscious. It is contended by the Defence that this is all a story concocted to embroider the true facts, which were that on the day prior to the firing incident they had refused to be formed into parties of 323 men each, that the guard had come there to arrest the ringleaders and that the man resisted and was shot in consequence. Nevertheless, that was put in cross-examination and denied and there is no evidence otherwise in support of it.

A similar allegation of mass ill-treatment is adduced by the prosecution in what I shall describe as the 2/9 Gurkha Rifle incident. The witnesses to this were Wolat Bahadur and Rifleman Rabi Lal. The former stated that on 24th September 1942 at about 7 p.m. the battalion was spread to hear a lecture by an INA officer. After a reference to their refusal to join the INA the followers were called out and beaten, and upon the whole unit standing up in protest, an armed guard present fired two or three rounds in the air. The INA officer then said 'Are these Gurkhas your fathers that you are not shooting at them?' Wolat Bahadur then went on to say that at this point the men started to move forward, upon which the guard fired wounding several of them. The second witness Rabi Lal gives an account of the same incident, but he omits any reference to the men moving forward on the first rounds being fired, and he denies that there was a dispute between the Gurkhas and the Japanese about fatigues (which Wolat Bahadur admitted), attributing the firing to the fact that the men would not join the INA and had stood up in defiance of orders. Rabi Lal carries this incident a stage further in as much as he deposed that the whole unit was immediately sent to a concentration camp at Bidadari, where they were confined in a very small open enclosure and left there for the night. On the following morning they went back to their camp. A counsel for the defence argues that the above is a distorted account of this affair and that the real cause of the trouble was that, as Wolat Bahadur admitted, the men had refused to do fatigues for the Japanese and were adopting a stubborn attitude which had ended in their attacking the guard and being fired upon in consequence.

Beside these instances of mass ill-treatment, there are other cases in which individuals gave evidence before you that during 1942 as a result of this refusal to join the INA they had been sent to a concentration camp. Concerning that camp the common factors may appear to be that men were beaten, badly fed, made to carry earth in sacks slung on the bamboo poles and forced to salute the INA sentries in the camp. Such treatment, for instance, is deposed to by Jamadar Muhammad Hayat (PW 12) who stated that between July and September 1942 he had been sent to a concentration camp three times together with 11 others of the 1/4 Bahawalpur Infantry and that he had been told that 'if we did not volunteer we would continue to be beaten like this until we died.' It was put to this witness in cross-examination—and denied—that the real reason he and the others were sent to the camp was because there was a charge against them of having committed the theft of seven cows from civilians, and that after due investigation they were released. Another example occurs in the evidence of Jamadar Ram Sarup (PW 15) who has the same story of being beaten in a concentration camp and made to carry earth in sacks, during the month of July 1942. It is contended by the Defence that in his case the story is merely an invention in order to save his skin with the army authorities after he had failed to report at his depot immediately on arrival in India. These statements are contested by the Defence who suggest that all these stories are embroideries of the real truth. In fact there was a detention camp at Bidadari—not a concentration camp—to which persons guilty of crimes of ill-discipline were sent, and where a certain amount of fatigues were imposed as was proper under the circumstances. These fatigues were merely ordinary manual labour for example, carrying earth for the making of a garden, but have been magnified into torture and atrocities in order to suit the witnesses' own ends.

The real issue for your consideration is whether those instances of ill-treatment are fact or fiction and whether if they are true they are so notorious at that time that there can be no reasonable doubt that the accused knew of them. I must in that connection warn you as clearly, and as unambiguously as I can that the gossips relating to torture or humiliation and men being sent to the concentration camp, contained in booklet named 'My Struggle' by Rash Bihari Bose (Ext. 5A) cannot by any means or in the very least, be regarded as evidence of the truth of the allegation. If the extracts from the booklet has any probative value, it certainly is not going to show that a concentration camp existed or that torture or harassment were inflicted on Indian POW, to join the INA.

With regard to the special submission handed in by counsel for the Defence in his closing address I advised you that at that stage you could not decide question of fact piece-meal, and I further advise you now that under the rules by which you are bound, an application to exclude evidence from the record of a court-martial cannot be entertained. The position is that if you accept the truth of what the prosecution witness stated and if apart from any presumption which you are not entitled to make you are satisfied that the accused knew of these atrocities and were recruiting for the INA with that knowledge, you may regard that evidence as a matter of aggravation. If on the other hand you come to the conclusion that there is no such evidence, as will satisfy you that these matters were so notorious that the accused or any one of them must inevitably have known of them and used them, you must dismiss the whole of this atrocity evidence from your minds as being wholly irrelevant and pay no further attention to it whatsoever.

As regards the Indian National Army—the instrument by means of which it is alleged that the accused officers carried on the waging of war—I do not propose to deal with this subject at great length because you have heard a great deal about it and it will be fresh in your minds. Not only that but there are a large number of exhibits which are in evidence before you dealing with its organisation and activities throughout the period under review; and these you will no doubt peruse when you come to consider your verdict in closed court. Moreover, you may agree that there is

really no issue as between the Prosecution and the Defence as to the existence of this army and its activities throughout the period, whatever may be the inferences which the respective parties ask you to draw therefore.

You will remember that what has been called the first INA came into existence on the 1st September 1942, as result of earlier efforts by Captain Mohan Singh, and in pursuance of certain Resolutions which were passed at a conference in Bangkok in June 1942. There are a number of these Resolutions which are contained in Exhibit 'ZZZZ', but in relation to the INA, it was agreed to form an army with the objects, *inter alia*, of conducting operations against the British or other foreign powers in India and of securing and safeguarding Indian national independence. At about the same time a Council of Action consisting of Rash Behari Bose and six members came into existence to supervise the general policy to be adopted by the INA. The organisation of the INA at that time is contained in Exhibit DD, the major units being given as three Guerilla regiments, the Hind Field Force Group, and various ancillary units. The total strength of the force at that period can only be a matters of conjecture, since the figure of 10,000 given by Lieut. Nag was more a hearsay and of no value whatsoever. There is evidence that in November 1942 an advance party of various units were sent to Burma, but very shortly afterwards, in December 1942, Mohan Singh was put under arrest—whether by the Japanese or by Rash Behari Bose being a conflicting issue—and the first INA was then broken up, the badges and all records being destroyed. I would point out, however, that according to Subedar Major Baboo Ram the headquarters at Bidadari continued to wear INA badges even after its dissolution in December 1942, although the rest of the men discarded them.

By January or February 1943 it is in evidence that Rash Behari Bose and the administrative committee of the POW camps were recruiting for the formation of a new INA. In March or April a 'Directorate of Military Bureau' had come into existence, the purpose of which was to act as a supreme headquarters of the new force. You will find the organisation of this Bureau in Exhibit FF before the Court which details the establishment of eight major departments dealing with 'G', Administration, DPM, Military Secretary, Finance, OTS, Reinforcement Group, and Enlightenment and Culture.

At about the same time the preparation of the INA Act was in progress, a document which is before you as Exhibit JJ. In regard to that Act there has been a certain amount of contention in relation to the inclusion of whipping as a punishment for certain offences. Counsel for the Defence has pointed out that in the aggregate, Indian legislation does sanction corporal punishment and that to that extent its incorporation in the INA Act is no more objectionable. He had handed in a summary of the provisions relating to whipping in force under the Indian Army Act, with a view to establishing that the powers of whipping under that Act and the INA Act are similar. As I pointed out at the time, there is an initial error in this summary in setting out the powers of whipping in Indian Army Act, Section 22, the correct interpretation of which is that on active service a commanding officer may award an unenrolled menial servant a maximum of twelve strokes with a rattan for an offence in breach of good order. Outside that section there is no provision whatever in the Indian Army Act itself for whipping, nor has there been since 1920, when such punishment was finally abolished on the repeal of Indian Army Act, Section 45. I feel bound to point out that there appears to be another error in this summary in as much as Counsel has stated that the 'Military Operational Area (Special Powers) Ordinance, 1943' authorizes whipping as a punishment for members of His Majesty's Indian forces. As a matter of fact, military personnel cannot, of course, be tried by courts constituted under that Ordinance, as is clear from Section 4(2) of the Ordinance which specifically excludes such personnel. I am not suggesting that this matter is of any great importance, but it is necessary to put an accurate picture before you.

Moreover, you should bear in mind that there is no suggestion that the accused or any one of them had a hand in drafting this INA Act or were parties to the inclusion of whipping therein.

Resuming the main theme of my address, it appears that the organisation of the new INA closely followed that of the first, except that there is evidence that in September 1943 a fourth Guerilla regiment known as the Base Regiment was raised. Prior to that in August 1943 the direct command of the INA was taken over by Subhas Chandra Bose. In his proclamation dated 25th August (Exhibit II) you will find there set out the objects laid down for the INA and in which he refers to it as 'the instrument of India's liberation'.

At the beginning of 1944 the main headquarters of the INA had reached Rangoon, and there is evidence that the Bose Regiment, at least, commanded by Capt. Shah Nawaz was on the Haka-Falam front shortly afterwards. You will remember various accounts of prosecution witnesses who deposed to the capture of a party of China levies, and of patrolling activities against a British Indian regiment. Havildar Nawab Khan, for instance, recounted the disposition of the regiment and of preparations for an attack on the British in the Klang-Klang area, which was to be put in on the 15th May. According to a diary which has been produced as being that of Shah Nawaz for 1944 these operations lasted until June when a retirement took place, the regiment being finally concentrated at Pyinmana in September 1944. In connection with those operations I would also draw your attention to the evidence of the Japanese General Katakura who drew you a diagram of the part played by the INA in that campaign (Ext. 'WWWW').

There is a large volume of evidence dealing with the operations of the INA round the area Popa-Kyauk Padaung in the year 1945, and in which the whole of No. 2 Division INA was engaged. It also appears that at about that time No. 1 Division was entrenched round the Pyinmana area, but it is with regard to No. 2 Division that the witnesses mainly speak. From Bahl Singh (PWO), for instance, you hear of the digging of trenches round Popa hill and of a skirmish with a British patrol in which two jeeps were captured. Another witness (PW 21) deposed to a battle in the Popa area in which his platoon was working, in conjunction with a Japanese platoon, which ran away when fired upon. No. 2 Infantry Regiment, commanded by Captain Sahgal, reached the Popa area from Mingaladon in March. There, Havildar Ghulam Muhammad (PW 23) states that operation orders were issued for an attack on Pyinbin village in the Legyi district which took place in due course, and in which fire was exchanged with men of a British Division. The operation order (Ext. XX) possibly gives the full details of this attack, the intention of which is stated to be 'to annihilate the enemy garrison in Pyinbin on the night of March 30-31'. The report on the Legyi operations—contained in Ext. LLL which bears the signature of Captain Sahgal. On area about 12th April 1945 No. 2 Division retired from the Japan area, and No. 2 Infantry regiment of that Division surrendered some time later at a point north of Allanmye. In that connection you will remember Lt Col Kitson's evidence with regard to the surrender of its Commander Captain Sahgal.

Finally you heard that about 6,000 INA remained in Rangoon after the Japanese had evacuated it and Captain Arshad told you how that the force kept order in Rangoon and protected the interests of Indians. He also told you of the orders given to him by Wing-Commander Hudson and later by Brigadier Lauder. Although many of the accused were present at that time it is a question for your decision whether the status of prisoners of war was given to that force and whether, if it was, it could be held to govern the status of the accused at the time when they surrendered. I must, however, point out to you that Captain Arshad said that Brigadier Lauder told him and he was not in a position to accept the INA as POW.

There is no dispute as between prosecution and defence that all three accused joined this organisation and subscribed to its avowed purposes, whatever may be the relatively less important differences with regard to place, time or date. Nevertheless a joint trial does not entitle you to

consider the charge collective as against all three. The joint nature of the charge, in fact, has reference only to the procedure of joint arrangement and of hearing the evidence against all three at one and the same time and certain other incidental matters, but otherwise the accused entitled to the benefit of having the evidence weighed and considered and your finding arrived at separately and distinctively in each individual case. Moreover, you must not consider the evidence on one of the charges in the charge-sheet as corroborating or complementary to the evidence on another, since they are all separate and distinct charges.

The period over which this charge extends is a long one and you have listened to a considerable body of evidence relating to times antecedent to and succeeding that period. Such evidence may be relevant either as showing preparation or as cause and effect or otherwise, but you must not in considering your finding take into account against him any overt act of any particular accused outside the period 15th November 1942—28th April 1945 which dates are specified in the first charge as being the commencement and termination of the period during which the accused are alleged to have waged war against the King.

I will now briefly summarise the evidence in relation to each accused as to their connection with the INA. Capt. Shah Nawaz Khan was commissioned in the Indian Army in 1936 and was promoted T/Captain on 24.3.41 (Ext. U) which rank he was shown as holding in the April 1945, Indian Army List. According to his own statement, he surrendered at Singapore on 15th February 1945. During the earlier part of 1942 he was commanding at Neesoon Camp and you have evidence that in March he read out to a meeting of all the officers there the Bidadari resolutions. In April he is quoted as stating in a lecture that 'the INA is a very good movement and I have offered myself as a volunteer.' In September at the formal inauguration of the first INA he was a Second Lieut. in the movement and by 15th October he was a Lieut-Colonel. On the 26th November (according to Ext. HH) he was appointed as command the INA Cadet Training School. In April 1943 according to an order signed by Captain Sahgal (Ext. FF) he was posted to the newly formed Directorate of Military Bureau as Lieut. Colonel, Chief of the General Staff. In August 1943, Havildar Ghulam Muhammad (PW 23) stated that he addressed a meeting at Neesoon at which he said that the INA had been formed for the liberation of India and it would fight not only British Imperialism but also those who would put obstacles in the way of India's freedom. Pertaining to this period, there is a letter issued by him as CGS regarding a 'Scheme for the reception and Management of the Indian soldiers in Burma.'

At the meeting on 21st October 1943 at which Subhas Chandra Bose proclaimed the Provisional Government of Free India, he was, according to Lieut Nag, nominated as Minister and signed the proclamation issued on that occasion. During the same month he was commanding the Bose Regiment according to the evidence of Sepoy Dilasa Khan (PA 17).

In 1944 he took part with that formation in the battle for Imphal and Captain Arshad states that he operated as for north Kohima. I shall not again refer in detail to this operation which I have dealt with in connection with the evidence of General Katakura (DW 5), and others. By December of that year according to his own statement he was commanding No. 1 Division INA at Mandalay and shortly afterwards was given command of No. 2 Division INA, a new Division which was shortly moving to the front. You will recollect that it was this Division which operated in the Popa-Kyauk Padaung area, took part in the attack on Pyinbin and the Legyi operations and you will find amongst the exhibits the operation order for this attack (Ext. XX) and an Information Report to Major Kawabaa regarding the Legyi operations, both stated to be signed by Captain Shah Nawaz. In April 1945 the division retired from Popa area and fell back to Pegu where he states he was captured by the British forces.

Captain Sahgal was commissioned in the Indian Army on 1.2.39 (Ext. S). He was promoted T/Captain on 5.3.41, a rank which he is shown as holding in the Indian Army List for April 1945. He was taken prisoner at the fall of Singapore on 15th February 1942 and in August of that year was at Bidadari Camp. He joined the INA on its formation in September 1942 and according to Subedar Major Babu Ram was Adjutant of the Hind Field Force Group for the remainder of that year until the first INA was broken up in December.

In January 1943 he is alleged to have addressed Naik Santokh Singh (PW 6) and other urging them to join the new INA which was going to be formed. By an order signed by himself dated 10.4.43 he was posted from the Hind Field Force Group to the Directorate of Military Bureau (Ext. GG). By 17.4.43 he was signing as 'Major, Military Secretary, Military Bureau Directorate' (Ext. FF). On the 21st October 1943 he is said to have been present at the meeting at which Subhas Chandra Bose proclaimed the establishment of the Provisional Government of Azad Hind.

At the beginning of 1944 according to Lieut. Nag he had moved from Singapore to Rangoon where he continued to function as Military Secretary, although he was at some time DAG if you accept the evidence of Lieut. Nag who took over these duties from him in August 1944.

In January 1945 he was commanding No. 5 Guerilla Regiment which was then renamed No. 2 Infantry Regiment and you will remember L/Naik Muhammad Sayeed's account of Subhas Chandra Bose's inspection of the regiment before it left for the front. By the third week in January 1945, the same witness states, the regiment had moved and Havildar Ghulam Muhammad states that the accused arrived with him at Popa on 26th February. At some period in the early part of 1945 he was temporarily commanding No. 2 Division during the absence of Captian Shah Nawaz, a fact which you may consider is borne out by the entries in his diary for 1945 which Lieut. Nag produced and in which he said that he recognised the accused's handwriting.

During March, Captain Sahgal held several conference at Popa at which plans for attacks on the Allies were discussed and he said that it was now either a case of attacking or of being attacked. Ghulam Muhammad states that on 13th March Capt. Sahgal gave orders for a two-company attack on Pyinbin. On 29th March he is said to have been in action against British troops near Seikteen. On 12th April Popa was evacuated and on 23rd April he was captured by the 2/2nd Gurkha Rifles near Allanmyo.

Counsel for the Defence has raised the issue that Capt. Sahgal surrendered to Lt Col Kitson as a POW and that under the terms of the surrender which he says were offered and accepted, the accused is entitled to all the privileges of a POW. You will recollect that Lt Col Kitson stated that there was a surrender note which he has since destroyed in which it was stated that 30 officers and 500 troops of the INA wished to surrender. On that point the Advocate-General points out that Captain Sahgal told Lt Col Kitson that he had fought for what he considered to be right and that he knew that he had lost and he was prepared to take the consequences. Lt Col Kitson also said that he told Sahgal that his disposal had nothing to do with him. It is of course a matter for you to decide in the light of Lt Col Kitson's evidence and in the light of your own military knowledge whether you consider that belligerent rights were by words or conduct accorded to Captain Sahgal on that occasion and whether the Company Commander of the leading Company of the 4/2 Gurkha Rifles to whom the surrender was made could by the custom of war either grant or recognise such rights on his own initiative.

As to the association of Lieut. Dhillon with the Indian National Army, there is evidence that he was commissioned in the Indian Army on 3.4.1940 and was promoted to Lieutenant on 30.4.1941, a rank which he is shown as holding in the April 1945 Indian Army List. On the 15th February 1942 he was captured at Singapore on its surrender. In February or March he was at Neesoon Camp where he delivered a lecture on the religion of the Japanese in which, as is alleged, he said

that Indians should join hands with them to free India. He joined the first INA at its inception and was promoted Captain in that force on 10th September 1942 (Ext. BB). On 15th September he was promoted Major (CC). At the beginning of February 1943 Subedar Major Baboo Ram states that he saw him at Bidadari wearing INA badges. According to Lieut. Nag he was at INA headquarters Bidadari in May 1943 in a branch. In October of that year he attended the Proclamation of the Provisional Government of Azad Hind by Subhas Chandra Bose in Singapore. By November 1943 he was second in Command of No. 1 Infantry Regiment INA. Later he was transferred to No. 5 Guerilla Regiment and was again Second in Command in charge of training, until he left that Regiment in June 1944. In September 1944 he arrived in Burma, was given command of No. 4 Guerilla Regiment and went to Mandalay to take command, from where it might appear that the Regiment moved to Myingian where it was employed, according to Hanuman Prasad (PW 19), in digging trenches. You have heard evidence that in February or March 1945 this Regiment was coming back to Popa in small parties, and subsequently moved to Nyaungu where it was posted in a defensive position on the Irrawaddy. It was there that Havildar Sucha Singh deposes that there was heavy shelling after which 84 men of the unit surrendered to the British on 14th February 1945. There are a number of Intelligence Summaries addressed to units and formations as well as to Kikari Kikan at about this time, all said to be signed by Dhillon, (Exhibits TTT, ZZZ, AAA) and a letter dated 20th March from Dhillon to Subhas Chandra Bose (Exhibit AAAA). Finally here is the message signed by Dhillon in which he states 'We will fight up to the last.'

You will appreciate that in the main these facts are not disputed by the Defence who do not deny that accused joined the INA and took part in operations against the allies. All the accused, however, stress that the INA as purely a voluntary army, composed of willing volunteers and that they were throughout actuated by the highest motives of patriotism. Motive of course cannot excuse an act if it is criminal, but at the same time if you accept what the accused say—and it is not denied—then if the accused were to be convicted you might consider that weighty mitigating circumstances exist in all the circumstances of the case. I shall now leave my review of this charge, reminding you that the accused's real defence to the charge is based on their position under International Law to which I have already referred.

2nd, 4th, 6th and 8th Charges

I now turn to a consideration of the murder charges against Lt Gurbaksh Singh Dhillon. These consist of four charges, the 2nd, 4th, 6th and 8th charges in the charge sheet on which that officer alone stands arraigned before you. Each of them is laid under INA Sec. 41 in respect of the civil offence of murder and the particulars ever in each instance that at or near Popa Hill in Burma, on or about 6th March 1945, he caused the death of a particular person. In fact, as you will remember, the case for the prosecution is that four men were all shot on the orders of Lt Dhillon at one and the same time so that all four charges refer to one and the same incident. The only difference therefore between the four charges is that each alleges the death of one particular man only. Thus the second charge alleges the murder of one Hari Singh, the fourth the murder of one Duli Chand, the sixth the murder of one Daryao Singh and the eighth the murder of one Dharam Singh. It will be convenient for me to state the law and to review the evidence of all four alleged murders together, but, at the same time, it is hardly necessary for me to remind you that they are four separate and distinct charges which you must consider separately and which you cannot amalgamate in your minds as being one charge against Dhillon of the murder of four persons.

Since murder is common to all four charges, I shall now endeavour to put before you the elements of the offence of murder as relevant to all. The law as to the substantive offence of

murder is contained in Secs. 299, 300 & 302. You will note that S. 299 defines the offence of 'culpable homicide'. That is a generic term which includes all forms of the culpable killing of one human being by another of which murder is only one, and it is thus only by reference to Sec. 300 that the circumstances in which culpable homicide becomes murder are made clear. You will observe that Sec. 300 provides that culpable homicide is murder when the act by which the death is caused is done with any one of the four specified forms of intention or knowledge, as the case may be, subject to five exceptions, any one of which would, if proved by the Defence, reduce the crime of murder to one of culpable homicide not amounting to murder. In all these four charges, however, the Defence have not relied on any of these exceptions, so that it is not necessary for me to put them before you in detail. Furthermore, it is the case for the prosecution that in every case, Lieut. Dhillon had an express intention of causing the death of the person named in the charge, so that you may consider that whilst not excluding consideration of the various forms of knowledge referred to in Sec. 300 your task will be one of deciding whether the accused Lt Dhillon committed culpable homicide amounting to murder by causing the death of the person named in each charge, respectively, with the intention of causing death.

The intention of the accused, express or implied, thus becomes a very important factor in your deliberations upon these charges. By 'intention' is meant the expectation of the consequence in question; but it is a state of mind and since we cannot see into a man's mind to see what he is aiming at or intending, it is necessary to look at his overt acts and his conduct in the surrounding circumstances bearing in mind that it is a presumption of law that a man must be taken to intend the natural consequences of his acts. Intention does not imply or assume the existence of some previous design or forethought. It means an actual intention, the existing intention of the moment, and no proof of intention beyond that which the act of itself supplies is required. I might add that these words of mine apply not only to these four murder charges but to every charge which is now before you to decide.

The evidence on which the prosecution rely to establish their case against Lieut. Dhillon may be briefly summarized as follows:

One day in the third or fourth month of 1945 a man named Gian Singh, who at that time belonged to No. 7 Battalion Nehru Regiment, was fallen in with his company (B Company) in a nullah in the Popa area. He described this nullah as having sides about 20 ft. high and with an average width at the bottom of about 5 ft., although it was wider in places. Whether it had more or less perpendicular sides is not apparent from the evidence. There were about 30 men present and they were standing in two lines or files, the witness being in the middle. The men were facing forward towards where the accused Lt Dhillon was standing in front of the two groups. At the end of the nullah was a trench at right angles to the bed of the nullah and about 20 yards away from where the witness was standing. Four men whom this witness did not identify were in the trench with their hands tied behind their backs.

Dhillon made a speech in which he said that those four men had tried to go over to the British and so they were sentenced to death. He called for volunteers to shoot them. The two men in the leading file took no part forward and they were joined by another man. The names of the three men were Hidayatullah, Kalu Ram and Sher Singh. The two former belonged to the company and the latter to Brigade Headquarters Military Police. Dhillon ordered the first man out of the trench and commanded Hidayatullah to shoot him. This he did, and the man fell to the ground. Similarly Dhillon ordered the second man out of the trench and he was also shot by Hidayatullah on Dhillon's order. The third and fourth man were similarly shot by Kalu Ram on Dhillon's order. Finally, Dhillon ordered Sher Singh to finish them off with his pistol and this man fired at them from a distance of about five yards. You may wish to consider how much of all this the witness

saw, bearing in mind that he was about 20 yards away and standing in a confined space in the middle of the company. At any rate, he states that when the men fell down after the first shots he did not see them then, although he says that he saw the four bodies buried in the trench.

The other witness to this alleged shooting is Nursing Sepoy Abdul Hafiz Khan who testified that one day after bringing a patient to the Popa hospital he was returning to No. 7 Bn hospital when he saw some men of No. 7 Bn assembled near nulla. Apparently out of curiosity he went closer and saw four men whose hands were tied behind them. These men were made to sit in a trench. He heard the accused Lt Dhillon, who was present and who was then commanding No. 7 Bn tell the company that these four men had gone over to the enemy and had been caught and therefore their punishment would be death. He then gives much the same account of the shooting as Gian Singh says that he saw the men after the first shots and that they were moving. On Dhillon's orders Sher Singh then went up to them and fired his revolver, putting two bullets into each one of them. He did not see bodies buried. He can give no idea of when all this occurred save that it was in 1945.

Now if you believe these two witnesses, Gian Singh and Abdul Hafiz Khan, that Lt Dhillon caused four men to be shot, there are still two matters on which the prosecution must satisfy you beyond reasonable doubt before you would be justified in convicting the accused of murder on these charges. Both of them are matters on which formal proof is required in every charge of murder, but they are vitally important, so much essential elements in all charges of murder that if you are not fully satisfied on any one of them in respect of all or any of the four charges, you are bound to acquit the accused forthwith of such charge. I refer of course to the following two matters:

- (1) There must be adequate direct or circumstantial evidence of the identity of the four men shot as will convince you that they were in fact Hari Singh (2nd charge) Duli Chand (4th charge), Daryao Singh (6th charge) and Dharam Singh (8th charge). The burden of proof on the prosecution will not be discharged by their merely proving that four unidentified men were shot on that day.
- (2) You must be satisfied on adequate and admissible evidence that Lt Dhillon caused the death of Hari Singh, Duli Chand, Garyao Singh and Dharam Singh respectively—that the death of these men, in fact, took place.

There two points are vital in any trial and the more so in this case because they are both very much in issue in connection with the defence to these charges with which I shall deal later.

As to the first point, neither of the two prosecution witnesses have in any way identified the four men. Abdul Hafiz Khan says he had never seen them before and Gian Singh stated that he did not know their names. He added that Major Dhillon read out that these men were Jats from No. 8 Battalion. But there is no record of two crime reports (Exhibits KKK and WWW), not counterparts in that they differ in detail, although both contain in the heading the names of Sepoys Hari Singh, Dhuli Chand, Daryao Singh and Dharam Singh. Lt Nag who produced both these documents stated that the words in both exhibits 'Remanded for Divisional Comd's Trial' and the signature are in the handwriting of Lt Dhillon with whose handwriting and signature he was familiar. In both there are entries in the 'Offence' column which I shall now proceed to read. (Reads) Both crime reports are headed IFA d901 in a form which you may recognise being the ordinary form in use in the Indian Army in which the sentence awarded is, you may consider, entered in the normal column under 'Punishment awarded'. Both allege that the date of offence was 28.2.45. Under Lt Dhillon's signatures at the foot of each report you will observe the figure 6.3.45, which is the approximate date averred in the particulars of the charge as being the date of the alleged murders. As to evidence of date, one of the two prosecution witnesses has stated that

these occurrences happened in 1945 and the other that they occurred in the third or fourth month of 1945. We know that Lt Dhillon was at that time in Popa where these executions are alleged to have been carried out. It is stated by both witnesses that four men were executed and both crime reports mention four men by name. Moreover, it is in evidence that Lieut. Dhillon told the men present in the nulla that 'those four men had gone over to the enemy and had been caught and therefore their punishment would be death' and you may consider that such words are not inconsistent with the offences entered on the crime reports. The crime report purports to be in accordance with the procedure under the Indian National Army Act and it is for your consideration whether the circumstances show that it was in pursuance of some such authority that the proceedings in the nulla were carried out.

The learned Counsel for the prosecution has suggested that the crime reports, together with Lt Dhillon's words at the time of the shooting, and the circumstances pointing to this transaction in the nulla having the character and appearance of a judicial execution, establish identity of the four men alleged to have been shot. He has in addition asked you to accept as evidence of identity and proof of death the Special Order of the Day, Ext. WW, which states that these four men were duly executed. This is signed by Captain Shah Nawaz, but with respect to the opinion of the Advocate-General, I am bound to advise you that what Shah Nawaz says in reference to this execution in that order cannot be regarded by you as evidence of these matters, in as much as Captain Shah Nawaz has not been charged with these murders, and whatever he may have stated about them on paper at some time or other, at a time when he was not on oath before this Court, is not in evidence before you. In so far, therefore, as reliance is placed on this Exhibit WW to prove the death and identification of these four men, I can only direct you to put it out of your minds altogether in considering the murder charges against Lt Dhillon and the charges of abetment of those murders against Captain Sahgal.

On the second point—proof of death—your decision on this point is to a certain extent governed by the view you take of the identification of the four men alleged to have been shot, in as much as it is evident that if you are not satisfied that the prosecution have proved that Hari Singh, Duli Chand, Daryao Singh and Dharam Singh were shot down there that day in the nulla, mere proof of the death of four unidentified men would not go to establish the four murder charges against Dhillon. I cannot foretell how you will decide the issue of identification and I express no opinion thereon, but will merely point out that if you are not satisfied as to identity you have no need to consider these charges further. If, however, you should come to the conclusion that those particular four men were shot, then you must further decide whether they died, for without proof of death there can be no conviction for murder. You will remember that Nursing Sepoy, Abdul Hafiz Khan, told you that after the prisoners had been shot by Hidayatullah and Kalu Ram they fell down but were not dead because he saw them moving. Then Major Dhillon ordered Sher Singh to put one or two more bullets into them and Sher Singh then went up to them and fired his revolver, putting one or two bullets into each one of them. Thereafter he did not see them moving. Then a Captain Lee went up to the bodies, examined them and said something to Major Dhillon. Afterwards Major Dhillon ordered the bodies to be buried. Abdul Hafiz Khan did not see them being buried.

Here I must direct the attention of the Court to this witness' evidence that Captain Lee, the Medical Officer of the Battalion, examined the bodies and told Major Dhillon that the men were dead. As I said when the learned Advocate-General tendered this evidence, one must not confound admissibility with weight and I must now advise you that the only probative value which may be placed on what Captain Lee said to Major Dhillon is (a) to explain in part the research why the witness Abdul Hafiz Khan came to the conclusion he did as to the death of the four men, and

(b) as against Major Dhillon to the extent in which by his words or his silence if the words called for a reply, he accepted Captain Lee's statement. I must warn you emphatically that Captain Lee's reported words, if you accept that they were uttered, are not sort of proof or value whatever in proving that these four men died on that occasion. Captain Lee has not come before you a witness to declare on oath that these four men were dead and you cannot accept a mere hearsay report of what he is alleged to have said on that occasion as going to prove the truth of his assertion.

What other evidence is there that four men died? I invite your attention to the evidence of Sepoy Gian Singh who was present with his company in the nulla at a shooting of four men. Was this the same occasion to which Abdul Hafiz Khan refers? You may consider that he gives substantially the same account of the identity of the executioners and the procedure followed, but he adds that when the men fell down after the first shots they were shrinking before Sher Singh fired his revolver at them. Then he saw them being buried in the trench. From the fact that the whole proceedings in the nulla that day purported to be an execution, that Lt Dhillon ordered the four men to be shot and that they were shot—two by Hidayatullah and two by Kalu Ram—and that they fell down and were then again shot by Sher Singh with a pistol, and finally that they were buried—from all these facts the Prosecution asks you to accept that the four men died on that day.

Now to turn the Defence on these charges. First and foremost the accused in his statement says: 'It is true that I committed four men for trial on charges of desertion and attempting to communicate with the enemy. It is, however, quite untrue that these men were shot at my instance or under my orders. On the day and at the time they are said to have been shot, I was confined to bed and unable to move. In fact the sentences of death passed on these men were subsequently remitted by the Divisional Commander and were never executed'. In parenthesis, that statement, like all three statements of the accused, was not made on oath in as much as Indian law does not permit an accused person to give evidence in oath; but in making statements you must remember that Lt Dhillon (and the other officers) have exercised their rights to the fullest extent which the law allows, and you are bound to give them all your wealthiest consideration. As corroboration of Lt Dhillon's statement, counsel for the defence has drawn your attention to Exhibit VVV to which is appended a letter written by Lt Dhillon on paper dated 6th March 1945 in which he states that he felt very weak 'so weak as I have never felt before throughout my life' and that he had to undergo course of injections. Counsel has emphasized the entire improbability of Lt Dhillon's state of health being such of that day as would have permitted him to be present at any such execution; in fact, as counsel stated, Dhillon was in 'State of complete XXX collapse of health'. I shall read the letter to you so as to put its terms once again before you for your consideration, in connection with what you must decide as to the state of health of Dhillon on that day, (Exhibit VVV read.)

Then Counsel argued that there is no identification of the persons alleged to have been shot with the persons mentioned in the crime report. You will remember how vital this point is in any charge of murder. It is certain that there is nothing more than the evidence that A was ordered to be shot and that someone saw a man shot and from those facts you are asked to come to the conclusion that the man was shot, which would be a most monstrous proposition. Here neither of the two alleged eye-witnesses were able to identify the men in the nulla, nor the date the men were shot, and hence there is no connection with those men and the crime report put in by Lt Nag.

Further more counsel points to the improbability of Nursing Sepoy Hafiz Khan having been there at all as he states he was. He had no business there, he was expected to be on duty and yet stayed away merely out of curiosity and spent half an hour watching what he says was the execution of the four men, with whom he was in no way connected.

Finally, as evidence that Hafiz Khan's story is untrue, Counsel argued that the next witness Gian Singh said, 'I do not remember any person not belonging to the company being there.' You will remember that at the time there was some argument as to what Gian Singh had actually said, but there it is now extracted from the record for your consideration. I might add that it was the first witness Nursing Sepoy Hafiz Khan who said, 'I did not see any outsider apart from the officers, the company and myself.' At any rate Counsel argues that if Hafiz Khan had been there, as he states he was, for about half an hour, he must inevitably have been seen by Singh who does not remember having seen any person not belonging to the company there—and Hafiz Khan did not belong to the company. To put it briefly, the witness' story is false. The improbability of the story was stressed. How could a company have been fallen in such a small and inconvenient space as described and how could Hafiz Khan have escaped detection in such a small space if he had been there. Would these men have been fallen in at a time when there were constant air raids?

Finally there is no record that when men were arrested and were sentenced to death they were later released, and Counsel has quoted in that connection that Captain Rab Nawaz and others were so released, and in particular that in February 1945 Har Gangasaran was actually sentenced to death by Capt. Sahgal and was later released.

Lt Dhillon's defence is therefore twofold (1) that he did not cause these four men to be put to death and (2) that even if he did, his act was justified under International Law in the sense that at the time he was an officer of the INA carrying out duties under the INA Act and that the carrying out of such duties during the prosecution of a war waged under rules of International Law provides immunity under this domestic law.

Leaving aside International Law with which I have already dealt, I would ask you to consider the following points *inter alia*:

- (1) Did Lt Dhillon intend to discuss the death of Hari Singh, Duli Chand, Daryao Singh and Dharam Singh?
- (2) Did he in fact cause the death of these four persons and is there adequate proof in your view of the fact that death occurred in each instance?
- (3) Are you satisfied of the identity of the four persons shot as being these four persons named?
- (4) If you are not satisfied as to the proof of death, are you satisfied that Dhillon attempted to murder Hari Singh, Duli Chand, Daryao Singh and Dharam Singh?

I must put to you a further hypothesis in connection with the last point and it is this: suppose you are satisfied... that the identity of the persons named in the charge-sheet is linked with the four men alleged to have been shot in the nulla, namely, that you are satisfied that they were sepoys Hari Singh, Duli Chand, Daryao Singh and Dharam Singh, but that on the evidence you are not satisfied that their death has been satisfactorily proved to your satisfaction; there is then for your consideration whether you would be justified in bringing in a special finding of attempted murder on any or all of these charges as laid. An attempt to commit crime is the direct movement towards the commission of a crime after the preparations have been made; in other words, an attempt consists in the intention to commit a crime combined with the doing of some act adapted to but falling short of its actual commission and which if fully and completely carried out would have resulted in the consummation of the act attempted. The questions for your decision would be therefore whether you should not be satisfied that Lt Dhillon's intention was to cause the death of Hari Singh, Duli Chand, Daryao Singh and Dharam Singh and whether his alleged acts in causing Hidayatullah and Kalu Ram to shoot them, followed by causing Sher Singh to shoot them with a pistol from close range amount to individual attempts to murder.

I now pass on to a review of the next charges under consideration.

3rd, 5th, 7th, and 9th Charges

All these four charges are against Captain Sahgal only and are laid in respect of the abetment of the alleged murder of the four sepoys Hari Singh, Duli Chand, Daryao Singh and Dharam Singh, with which I have just dealt. I will read the charges. (Reads) You will appreciate therefore that your verdict on these four charges will depend, to a certain extent, on the view you take of the evidence in the 2nd, 4th, 6th and 8th charges against Lt Dhillon. But before I commence to sum up the evidence in the issues involved, I must again remind you that although I shall, for content deal with all four together, the accused is entitled to have each weighed and considered separately. The general definition of abetment is contained in Sec. 107 of the Indian Penal Code which I shall now read to you. (Reads) It is an offence which 'involves active complicity on the part of the abettor at a point of time prior to the actual commission of the offence and it is of the essence of the crime of abetment that the abettor should substantially assist the principal culprit towards the commission of the offence' (Ratanlal—Law of Crime 16th Edition, page 229). With regard to abetment by instigation, the offence is complete as soon as the abettor has incited another to commit an offence regardless of whether the person abetted consents to carry out the offence, and regardless of whether he consents and then fails to practice with carrying the incitement into effect. In fact, this particular form of abetment must be examined in relation to the intention present in the mind of the person who abets rather than upon what the incitement causes the person abetted to do in consequence of it. On the other hand an abetment by conspiracy requires something more than a mere agreement to do some illegal act and, as has been said, 'so long as such design rests in intention only it is not indictable'. In order to constitute the offence of abetment by conspiracy, therefore, there must first be the combination of two or more persons to do an illegal act or illegal omission and the over act or illegal omission must place pursuant to that conspiracy.

Abetment by aid occurs where a person intending to facilitate the commission of an offence does an act which does in fact, facilitate its commission.

The above is the definition and general meaning, as relevant, of the word 'abetment' as it is used in the IPC, which then goes on to prescribe numerous crimes of abetment in varying degrees of seriousness. One of these offences is laid down in IPC, Sec. 109 under which the accused is charged, which I shall now read to you.

And you will note that it is a constituent element of that offence that the crime abetted shall have been carried out in consequence of the abetment. In plain language, therefore, the offences with which Captain Sahgal is charged are, respectively, the abetments of the murders of the four men named in the respective charges, which murders are alleged to have been committed in consequence of his abetment.

As to the evidence, you have before you the evidence of Ghulam Muhammad that the accused, Captain Sahgal, reached Popa on or about 25/26th February 1945, and that he was at that time commanding No. 2 Infantry Regiment, INA. There is also evidence that at some time about this period he was commanding No. 2 Division during the absence of Captain Shah Nawaz Khan, and there is an entry in his diary under 2nd March in which he says: 'I wish Shah Nawaz would come back soon and take charge of his Division.' Again on 10th March he records, 'Shah Nawaz has not turned up yet.' Finally on 12th March 1945 there is an entry, 'Shah Nawaz arrived with Mehar Dass.' If you accept that evidence, then you may consider that at the material time, that is, on or about 6th March 1945, he was temporarily commanding the INA Division in Popa area at which place the four named men are alleged to have been shot. The accused in his statement in fact admits that he was then commanding the Division. The case for the prosecution then turns to the

two crime reports (Exts. KKK and WWW) which, as I have said in connection with the connected charges against Lt Dhillon, appear to be, in form, manuscript copies of the ordinary IAFD 901 as used in the Indian Army. On both crime reports the names of Sepoy Hari Singh, Duli Chand, Daryao Singh and Dharam Singh appear as the persons charged with (1) Desertion, and (2) Holding correspondence with the enemy. In both, the words 'Remanded for Divisional Commander's Trial' appear in the identified handwriting of Lt Dhillon, and Lt Dhillon has also, according to Lt Nag, signed them each in two places. Lt Nag also identified as being in the handwriting of Captain Sahgal the words, 'Sentenced to Death, P.K. Sahgal' which you may consider appear in the appropriate columns of IAFD 901.

I would also draw your attention to the fact that the signature 'P.K. Sahgal' is over the designation 'Offg. Commr. Unit No. 501' and that there is on record and exhibit marked RRR, which Dhillon is alleged to have issued on 2nd March 1945, a letter to all units and formation giving the code numbers allotted, in which that number 501 is shown as being 'Adv. Div. HQrs'.

If therefore it is a fact that Lt Dhillon remanded these four men for the Divisional Commander's trial you may consider that it would be to Capt. Sahgal that he was remanding them and that in the ordinary course of military affairs it would be that officer who would dispose of the case against them. Absolutely no evidence direct or circumstantial exists as to any institutions before Capt. Sahgal, although he admits in his statement to having tried these men. But the prosecution asks you to accept that the two IAFD 901 duly signed and in form, endorsed with the words 'sentenced to death' by P.K. Sahgal in the accused's handwriting are together with the accused's statement evidence that he in fact sentenced Sepoys Hari Singh, Duli Chand, Daryao Singh and Dharam Singh to death. In so doing they submit that he abetted Lt Dhillon to shoot these men, which was duly done, and that by his act Captain Sahgal instigated or incited Dhillon to commit illegal acts for which no justification exists in law, and which were duly carried out in consequence. In that connection the Advocate General argued that the Provisional Government of Azad Hind was an illegal body, the formation of which was itself an offence against the State and that any body or tribunal constituted under it would be equally unlawful. That is the International Law aspect with which I have already dealt.

As to whether that sentence was carried out. I refer you to my review of the evidence in respect of the identity, proof of death and general circumstances in the charges of murder against Lt Dhillon, pointing out that if you are not satisfied that Lt Dhillon attended and caused the executions to take place and that death occurred or if you do not consider that the identity the four men shot as Hari Singh, Duli Chand, Daryao Singh and Dharam Singh has been established by the Prosecution, then there is no necessity to consider this case further in relation to abetment under IPC Sec. 109, although as I shall point out in a moment, there is still the question of abetment under another section remaining for your consideration.

As regards the Defence I should point out that Capt. Sahgal's connection with these charges purports to be through the crime reports, without which there would be no material evidence against him. If therefore you should reject the authenticity of these reports, there would be no *prima facie* case against him. I shall also draw your attention to this statement that as an officer of the INA he would be justified in sentencing such offenders to death under the terms of the INA Act, one that such sentences could lawfully be passed in exercise of authority lawfully vested in him. At the same time, he has also stated 'I was Offg. Divisional Commander in the absence of Capt. Shah Nawaz Khan. In my capacity as Divisional Commander, I had to try on 6.3.45 four Sepoys Hari Singh, Duli Chand, Daryao Singh and Dharam Singh who had been committed for trial by Col G.S. Dhillon for offence of desertion and attempting to communicate with the enemy under Sections 35 and 29(c) of the Indian National Army Act. They were found guilty and sentenced

to death. The sentence was however, not carried out, the convicts like many other who were similarly tried and sentenced about that time having pardons, another expressing regret, and giving an assurance not to misbehave in future. The fact of the sentence having been passed was of course used for its propaganda value in order to deter others from deserting. You will also remember that in fact a witness named Gangasaran was sentenced to death about the same time and was reprieved by Capt. Sahgal.

Finally, without reference at the present stage to Capt. Sahgal's contention that he was performing a lawful act, as you consider that the crime reports, if you accept them, together with the accused's admission, constitute instigation or incitement to Dhillon to murder these four particular men regardless of whether the sentence was carried out and assuming, in fact that it was never put into effect. I express no opinion on this which is purely a matter of fact for your decision but I would point out that if you should come to such a conclusion then you might consider yourselves justified in bringing in a special finding or findings on the authority of IAA Sec. 86(4) read with code of Criminal Procedure Secs. 237 and 238 of abetment under IPO. Section 115—a Section which contemplates the abetment, for example, of a murder which was not carried out in consequence. (Reads Sec. 115, IPO)

10th Charge

I will now invite your attention to a consideration of the 10th charge on the charge sheet, in which Capt. Shah Nawaz Khan alone has been arraigned. This charge is also laid under IAA Sec. 41 in respect of the commission of a civil offence, that is to say, abetment contrary to Sec. 109 of the IPO, of an offence punishable under Sec. 302 of the IPO. In plain language that charge is one of the abetment of a murder which was committed in consequence, and the supporting particulars ever that at or near Popa Hill in Burma on or about the 29th March 1945 Capt. Shah Nawaz Khan abetted the murder by one Khazin Shah and one Aya Singh of Gunner Mohd Hussain of HKSRA which offence was committed in consequence of such abetment.

The legal ingredients of the offence of murder and abetment, and the offence under Indian Penal Code S. 109 have been put before you in connection with the murder charges against the accused Lieut. Dhillon and the abetment of murder charges against the accused Capt. Sahgal and the same considerations apply here, so that it will be unnecessary for me to repeat them once again. I will merely remind you that before you would be justified in convicting the accused Capt. Shah Nawaz Khan on this charge as laid, the prosecution must have satisfied you beyond reasonable doubt that a man named Gunner Mohd Hussain of the Hong Kong, Singapore Royal Artillery—that specific individual and nobody else—was murdered by Khazin Shah and Aya Singh and that Capt. Shah Nawaz Khan on or about the date mentioned abetted that murder in one of the ways constituting abetment as defined in IPGS 107.

On what then does the prosecution rely to prove that Khazin Shah and Aya Singh jointly murdered Gunner Mohd Hussain? Here it is necessary to call your attention to Sec. 34 of the IPC which reads as follows:

‘When a criminal act is done by several persons in furtherance of the common intention of all each of such persons is liable to that act in the same manner as if it were done by him alone.’

That Section embodies the commonsense principle that the law cannot differentiate between the acts of co-conspirators in the commission of criminal act and make each as liable for the crime as if he had done it with his own hand. As a common illustration of that principle, there is the case of several men who combine to commit housebreaking, and in furtherance of that design, one of the men actually breaks into the house whilst the others remain outside on the road to keep watch. In

those circumstances the watchers would be guilty of housebreaking equally with the men who entered the house, although they have never entered it. Applying that to the case of Khazin Shah and Aya Singh, it is argued that both these men were present at the shooting of Mohd Hussain, that they intended it, made arrangements for the firing party, caused the man to be tied up and to be blind-folded and murdered as if they had themselves fired the rifles which are alleged to have killed Mohd Hussain.

The first evidence of this transaction occurs in the testimony of Havildar Ghulam Mohd of the 1/13 FF Rifles who in March 1945 was performing the duties of Regimental Adjutant No. 2 Infantry Regiment. In that Regiment were three Infantry Battalions, No. 1 of which was commanded by Lieut. Khazin Shah. He states that on the 26th or 27th March 1945 a man named Mohd Hussain was placed in the quarter guard. He was present at the preliminary investigation of the case by Capt. Sahgal on about the 28th March, and again on the morning of the 29th March. On such occasion, No. 1 Bn Commander, Khazin Shah was present, and on each occasion Mohd Hussain with two other men were charged with attempting to desert. Mohd Hussain admitted his guilt. Ghulam Mohd saw all three men leave the office on the second occasion. At about 4 or 5 O' clock on the same evening he saw Mohd Hussain passing in front of his reach accompanied by the Adjutant of No. 1 Bn and 2/Lt. Aya Singh who was a liaison officer at Regimental Headquarters. From Sepoy Jagiri Ram you heard on account the circumstances which led to the arrest of Mohd Hussain, and an almost stage by stage account, according to him, of the whole transaction from beginning to end. Briefly, he testified that without remembering dates which he does not understand, he was one day sitting in a nullah with Mohd Hussain and a Garhwali discussing the possibilities of escape. They were sent for by the Bn. Commander, Khazin Shah, who taxed them with what they had said, tied them to trees and beat them. From Mohd Hussain he obtained an admission that he had been discussing the question of escape, jokingly, with Jagiri Ram and Allah Ditta. The latter, you will remember, had not been present when the matter was discussed in the nullah.

Khazin Shah took Mohd Hussain and Jagiri Ram to what written statement describes as Brigade Headquarters, but which you may decide was really Regimental Headquarters, since it appears Capt. Sahgal was commanding there. By this time they had been joined by Allah Ditta who may have been arrested because of Mohd Hussain's admission to Khazin Shah. After interrogation by Capt. Sahgal, in the presence of Khazin Shah, they were all three returned to the quarter guard where Aya Singh appeared and beat them, as is alleged, with the object of finding out the names of the men who intended to escape. On the following day, accompanied by Khazin Shah and one or two others, they were taken to the Divisional Commander Shah Nawaz Khan. Here, according to Jagiri Ram, he like Alla Ditta and Mohd Hussain were lined up before the accused Capt. Shah Nawaz Khan who questioned each in turn. All except Mohd Hussain denied having intended to escape. Mohd Hussain however, admitted the accusation and was told by Shah Nawaz 'You are not for our country; you are our enemy. I will give you death by shooting'. It appears from the evidence of Alla Ditta that Khazin Shah was present at this interview.

On the same evening Jagiri Ram states that he was taken to Bn Headquarters, where he saw Mohd Hussain, Khazin Shah and Aya Singh. He then gave an account of the shooting of Mohd Hussain and described how Khazin Shah told him 'You will shoot Mohd Hussain because you are one of the men who were trying to escape with him', how he refused to do this and how Khazin Shah threatened him with a pistol; how a rifle was put to his shoulder by Aya Singh, who put his finger around the trigger and how, not knowing anything about firing a rifle, he was forced by Aya Singh to fire at Mohd Hussain, who had been made to sit on the ground with his back to a tree and his hands tied behind his back. He states that Khazin Shah ordered Aya Singh to give the order to fire and that this was done accordingly.

Then you had the evidence of Alla Ditta who, although not present at the shooting described how he had a conversation with Mohd Hussain on the 26th March regarding escape. At sunset, on the same evening he was taken to Brigade or Regimental Headquarters, where he saw Mohd Hussain, Jagiri Ram and Khazin Shah. He has the same story of being beaten by Khazin Shah, taxed with an intention of escaping and of being confined in the quarter guard. On 27th March he was interrogated by Aya Singh who beat him. Then you had in evidence that the witness heard Khazin Shah say that if those men were not punished he, Khazin Shah, would give up command of the Battalion. Finally Alla Ditta gave an account of how he, Jagiri Ram and Mohd Hussain were brought in front of Shah Nawaz on 29th March, who finally told Mohd Hussain in the presence of Khazin Shah 'You are sentenced to death by shooting because you intended to desert yourself and were persuading others to do the same. Therefore you are not pardoned'. After this interview he, Alla Ditta, was locked up in the same cell as Mohd Hussain until 5 p.m. on the same day when Aya Singh and the Bn. Adjutant took away Mohd Hussain. He never saw him again.

Finally, from L/Naik Sardar Muhammad you heard a detailed account of the shooting of Mohd Hussain. This witness was Adjutant of the 1st Bn 2. Infantry Regt which was commanded by Khazin Shah. On the evening of 27th March he saw Khazin Shah beating Mohd Hussain and the others and interrogating them. He was later informed by Khazin Shah that Mohd Hussain had been sentenced to be shot, and he was also ordered by the same officer to make arrangements for the execution which included instructions as to detailing a fatigue party to dig a grave. He took Mohd Hussain to the edge of a nulla when he was to be shot. He says Khazin Shah and Aya Singh were there and that the former gave instructions for Mohd Hussain to be tied to a tree and that he should be blindfolded. Furthermore, Khazin Shah detailed a firing party consisting of a Tamil, a Sikh and Jagiri Ram. He saw Aya Singh helping Jagiri Ram to fire the rifle. He heard Khazin Shah order Aya Singh to give the order to fire and stated that Aya Singh hesitated upon which he repeated the order. Aya Singh then said, 'Kneeling-Fire' and all three sepoys fired a round each at Mohd Hussain who was killed. Sardar Mohd adds that Khazin Shah then ordered him to arrange for burial.

These are the facts on which the prosecution rely to show that Khazin Shah and Aya Singh murdered Mohd Hussain. They ask you to accept that these persons were not acting in pursuance of an order by a court of justice but rather were engaged in a treasonable enterprise from which they cannot find justification for their notion. They say that the intention of both men may not only be inferred from their overt acts such as arranging for an execution, tying the man and blindfolding him and ordering men to fire on him from a distance of a few yards away, but also that the declared intention, at least of Khazin Shah, was that this man should be put to death. In all these circumstances there was a common intention to cause death, and that death was caused thereby, and that the causing of death amounts to murder.

I have as yet left out of account, however, these two vital considerations which required the strictest proof in all cases before the offence of murder can be said to be proved. The first of these is that the identity of the persons said to be murdered must be established beyond reasonable doubt and that it is not sufficient merely to show that a man was murdered. On the contrary, the law requires that if it is alleged that Sepoy Mohd Hussain, HKSRA was the victim, the prosecution must show that it was he and nobody else who dies at the hands of the alleged murders. On this point you may care to consider the evidence of Jagiri Ram who was, if you believe him, a witness of the whole transaction almost from the beginning to the end. He states that he knew Mohd Hussain, although he admitted in cross-examination that he did not know him before the conversation in the nulla. He also stated that he had never spoken to Mohd Hussain before he joined Company

Headquarters. Yet, he went on to say that 'I came to know Mohd Hussain in the company. He used to live with me at Headquarters. He used to sit in my company' and again, 'He used to live with me, surely I knew him.'

Is there a possibility of some confusion here with regard to the meaning in which the word 'know' is used? Do you consider that the solution to the apparent contradiction is that whilst Jagiri Ram may not have known Mohd Hussain to talk to, he knew him by sight and name? If, at any rate, you accept his statement, there is the evidence of a man who was actually present at the shooting and who saw a man shot who he states was Mohd Hussain. Then again you have the evidence of Allah Ditta who states that he knew Mohd Hussain who belonged to a British Regiment before, but you will remember of course that this man was not present at the shooting and cannot swear that the man he knew as Mohd Hussain was actually shot.

The fact remains that if a man named Mohd Hussain was shot, then in accordance with the existing practice which you may consider closely followed the procedure in the Indian Army, you would expect a casualty report to have been submitted. A casualty report was not submitted. That appears in the evidence of a prosecution witness, L/Naik Sardar Muhammad, who was present at the execution and whose duty it was in the ordinary course of business to submit such returns. He has stated that he did not do so, because 'night had fallen and we had to march that night'—a reason which the Defence Counsel has suggested to you is utterly inadequate. It is for your consideration whether the reason why no casualty return was submitted was because no man of the name of Muhammad Hussain was executed. Further, the Defence contend the Jagiri Ram has throughout told a tutored and untrue story and that since he did not know the name of the Garhwali with whom he said he was plotting to escape, it is unlikely that he would have known the name of the person he says was Muhammad Hussain. He certainly did not know the names of the firing party.

The second vital point of proof of murder, to which I have already referred, is of course that it must be shown that the death of the particular person actually occurred. In order to establish this point you have usually the evidence of a medical officer who examined the body and found it dead. But whilst that method of proof is obviously the most satisfactory, it is by no means the only manner in which the fact of death may be inferred, and in cases in which no medical officer examined the body, it is necessary to consider whether circumstantial evidence exists which would justify a court coming to that conclusion beyond reasonable doubt. In this case you have heard the evidence of two eye-witnesses who were present at the shooting of a man alleged to have been Muhammad Hussain. The first, Jagiri Ram, testified that all three of the firing party fired and that in his case Aya Singh had put the rifles on his shoulder in the aiming position. His rifle was pointing at Mohd Hussain, but having regard to his acknowledged ignorance of how to fire a rifle, are you satisfied that if his story is true his bullet must have struck Mohd Hussain? You will remember that it is contended by the Defence that Jagiri Ram's story is utterly improbable. That there was no reason for him, a man quite untutored in the use of weapons to be made one of a firing party and least of all, even if his story is true, that there is any possibility that in his ignorance of how even to take an aim any shot fired by him could have taken effect on the target. The prosecution, on the other hand, suggest that it was Khazin Shah's idea of 'Nemesis' that Jagiri Ram should be a member of the firing party. At any rate, Jagiri Ram says that Mohd Hussain died and that he saw the body lying there, although he did not go near it, nor see how many shots had penetrated it.

The other witness Sardar Mohd stated that he was present at the shooting of Mohd Hussain which occurred at about dusk on 29th March 1945. Three men fired and 'Mohd Hussain was killed. His body rolled over sideways.' He further stated that he went near the body and found it

dead. He saw that the shirt covering the left breast was torn and from the amount of the tear he considered that there were three shots. He saw blood. Nevertheless, it must be remembered that Sardar Mohd was not a doctor and that his opinion that death had occurred was based merely on the fact that he considered three shots had struck and that the body was lying on its side. Then, again as bearing on proof of death, Sardar Mohd has told you that Khazin Shah gave order for burial, although no witness has stated that he saw the body buried. Allah Ditta has told you that after Aya Singh took Mohd Hussain away he never saw him again. It is on the evidence of these witnesses, coupled with the allegation that it was the clear intention of Khazin Shah to put the man to death there and then that the prosecution rely to establish that Sepoy Mohd Hussain died that evening by the intention of Khazin Shah and Aya Singh.

The Defence, on the other hand, point to the fact that there is no crime report in this case nor any document showing that the sentence was carried out. Furthermore, they say that Jagiri Ram's story is utterly improbable and foolish invention, and that the story that a sentence was passed by the accused on Mohd Hussain is untrue. Moreover, Khazin Shah and Aya Singh have proved to be alive and have not been produced although they would have been the best evidence of whether a man was shot at all. The Defence also draws your attention to the improbability of three shots having entered the body of a man in one and the same place and without blood being observed by a witness of the occurrence, and strongly contended that this evidence fails short of proof of death.

I would also draw your attention to the accused's statement in which he says that it is 'in fact wrong that I sentenced him to death or that he was shot in execution of a sentence passed by me. Mohd Hussain and his companions were only informally produced before me there being no crime report drawn up. I only very strongly admonished Mohd Hussain and told him that he had committed an offence for which he could be, should be shot'—and to that statement you should give due and weighty attention.

I will now leave these vital questions of identity and proof of death for your decision in closed court pointing out to you that they are both questions of fact on which you are bound to decide and on which if you have any reasonable doubt you must resolve in favour of the accused.

Now, as to the alleged abetment of murder by Capt. Shah Nawaz Khan. I have already explained to the Court that abetment consists of instigating a person to commit an offence or engaging in a conspiracy to commit it or intentionally aiding, by any act or illegal omission, a person to commit it. I would also remind you that the kind of abetment with which the accused is charged is that in which the actual crime was committed in consequence (IPCOs 109).

The evidence on which the charge is based is again contained in the testimony of Jagiri Ram, Allah Ditta and Sardar Muhammad, and it is this. Shortly after, or within two days of the arrest of Mohd Hussain and the other two, all three were brought before the Commander of No. 2 Division, who was the accused Capt. Shah Nawaz. They were lined up before him according to Jagiri Ram, and Khazin Shah was present in the room. Shah Nawaz first addressed Jagiri Ram and told him to speak the truth and say whether he intended to escape. He denied it. Then he asked Allah Ditta why he had not reported that Mohd Hussain had talked to him about escaping, reminding him that he was an NCO. Allah Ditta replied that he knew nothing about Mohd Hussain escaping—he thought it was a joke and begged pardon for his mistake. Lastly, Jagiri Ram states, if you believe him, that Capt. Shah Nawaz addressed Mohd Hussain and after some questioning Mohd Hussain replied that he was in difficulties and that he had intended to escape and asked to be forgiven. To this the accused replied 'You are not for our country; you are our enemy. I will give you death by shooting.' Mohd Hussain then asked for forgiveness and said he was prepared to go anywhere he was ordered, to which the accused did not reply. All three were then marched out accompanied

by Major Negi and Khazin Shah and so far as Jagiri Ram is concerned, he seems to have been released, after taking what he describes as an unwilling part in the shooting of Mohd Hussain. The account of the preliminary stages of this interview given by Allah Ditta is substantially the same, but his version of the conversation between Mohd Hussain and the accused differs from that of Jagiri Ram. According to Allah Ditta, Shah Nawaz first asked Mohd Hussain 'Did you intend to desert or make other desert with you?' to which the latter replied, 'No, I did not intend to desert.' Then he admonished him to speak the truth, to which Mohd Hussain replied, 'I had a few difficulties and therefore I intended to escape.' Up to that point you may consider that is not much difference between the two accounts, but Allah Ditta now quotes Shah Nawaz as having said, 'You are sentenced to death by shooting because you intended to desert yourself and were persuading others to do the same. Therefore you are not pardoned.' You will observe the difference between that wording and the words attributed by Jagiri Ram to the accused, 'You are not for our country; you are our enemy. I will give you death by shooting.' There is a further difference between the evidence of Jagiri Ram and that of Allah Ditta, in that you will remember Allah Ditta volunteered that Captain Shah Nawaz Khan then said, 'Put off the case to the Regimental Commander.' It is for you to decide, gentlemen, whether if these words were used as stated, the accused was referring to all the cases or whether he was referring to the cases of Jagiri Ram and Allah Ditta only, or to any of the them, bearing in mind that Allah Ditta also says that before they were marched out he saw Shah Nawaz Khan write something on the crime report before him. Does the fact that Allah Ditta was later brought before Major Negi and reduced to the ranks support the theory that the words 'Put off the case to the Regimental Commander' were used with reference to Allah Ditta only? You will remember that the prosecution allege that Mohd Hussain was shot the same evening and that no further action was taken against Jagiri Ram.

The accused in his statement before the Court has said in this connection, 'I only strongly admonished Mohd Hussain and told him that he had committed an offence for which he could and should be shot. I, however, left the matter there and asked the case to be put up again before me or the Regimental Commander who had in the meantime been vested with the power to try such cases, if the men concerned attempted to misbehave a second time. The case never came up before me again.'

Now, if you think that Shah Nawaz referred Mohd Hussain's case back to the Regimental Commander without coming to any decision, then he cannot be found guilty of the charge of abetment of murder, and it is on exact this point that Counsel for Defence argues that the witnesses bear out the accused's statement. Neither of the witnesses know English and yet Allah Ditta is able to say 'I saw Col Shah Nawaz write something on the Crime Report.' Jagiri Ram admitted that he only knows the crime 'report' in the sense of making a report to somebody, he did not know the word 'crime' and could not understand the words 'Crime Report' when written on a piece of paper shown to him. How then could either of them say that they saw crime reports on the table in front of Shah Nawaz? It is contended in fact that there was no crime report, none has been produced and that this is a tutored story.

Arising out of the 10 charges, the following questions *inter alia*, present themselves for your decision:

- (1) Do you believe that a man named Mohd Hussain was brought before Capt. Shah Nawaz on or about the date mentioned?
- (2) Did Captain Shah Nawaz sentence that man to death or did he remand him without coming to a decision?
- (3) If you are satisfied that he sentenced him to death, are you satisfied as to the identity of the man brought before Capt. Shah Nawaz being Gnr. Mohd Hussain, HKSRA?

- (4) Would Capt. Shah Nawaz's actions, as you accept them, amount to an incitement or instigation (abetment) to Khazin Shah and Aya Singh to murder Mohd Hussain?
- (5) Was Mohd Hussain murdered by Khazin Shah and Aya Singh as averred in the charge in consequence of the abetment of Capt. Shah Nawaz?
- (6) Are you satisfied that the prosecution have provided strict proof of death?

In connection with the last point, I would remind you that if you are not satisfied as to proof of death you cannot convict the accused of an offence under IPC Sec. 109, which requires that the act abetted should have been committed in consequence of the abetment. Provided, however, that you were satisfied—and I am not suggesting that you should be—that Shah Nawaz abetted Khazin Shah and Aya Singh to murder Gunner Mohd Hussain, HKSRA and that you were convinced beyond reasonable doubt of the identity of that man, you could then consider a special finding of guilty of a charge under IPC Sec. 115. You are empowered to return such a special finding under the provisions of IAA Sec. 86(4), read with Code of Criminal Procedure Sections 236 and 237.

Before you close the Court to consider your verdict on the charges before you, I would once again remind you that the onus of proof is upon the prosecution, and that it is upon them to establish the various charges before the Court, beyond reasonable doubt. By reasonable doubt I do not mean every possible or fantastic doubt, since in criminal proceedings absolute or mathematical certainty is not required and is seldom obtainable; but you must not convict the accused on any charge unless you have that degree of certainty which as prudent and careful men of the world you would require when acting in important affairs of your daily lives.

Finally, I would like to express my appreciation to Counsel for the Defence, and to Mr Bhulabhai Desai in particular for their assistance to me at all times, and for the extremely lucid manner in which the case for the Defence has been put before the Court. To the Advocate-General and Lt Col Walsh also I would like to express my appreciation of the fair manner in which the case for the Prosecution has been conducted throughout.

Would you now, Sir, close the Court for consideration of your findings?

3. INA Trial: Judgment, 31 December 1945

GOI, Defence Headquarter, Adjutant General No. 147602 PS (10), File No. 428/INA, NAI.

Finding

- | | |
|-----------|---|
| No. IC 58 | Capt. Shah Nawaz Khan, 1/14 Punjab Regt att CSDIC(I) Delhi is guilty of the first charge and is guilty of the tenth charge. |
| No. IC226 | Capt. P.K. Sahgal, 2/10 Baluch Regt att CSDIC(I), Delhi is guilty of the first charge and is not guilty of the third, fifth, seventh and ninth charges. |
| No. IC336 | Lieut. G.S. Dhillon, 1/14 Punjab Regt att CSDIC(I) is guilty of the first charge and is not guilty of the second, fourth, sixth and eighth charges. |

Sentence

The court sentence the accused:

- No. IC 58 Capt. Shah Nawaz Khan, 1/14 Punjab Retd. att CSDIC(I) Delhi.
- No. IC226 Capt. P.K. Sahgal, 2/10 Baluch Regt att CSDIC(I) Delhi.
- No. IC336 Lieut. G.S. Dhillon, 1/14 Punjab Regt att CSDIC(I) Delhi to be cashiered and

to suffer transportation for life and
to forfeit all arrears of pay and all allowances and other public money due
to them at the time of their cashiering.

Signed at Red Fort, Delhi this thirty first day of December 1945.

F.C.A. Kerin
Col
(Judge Advocate)

A.B. Blaxland,
Maj. Gen.
President

I reserve confirmation of the findings and sentence to HE the Commander-in-Chief in India.

Delhi
31 Dec 45.

L.L. Thwaytes
Brig.
Comd Jamna Area

Confirmation

I confirm the findings and sentences of the Court in respect of all the accused, but remit in each
case that part of the sentence which relates to transportation for life.

Signed at New Delhi this second day of January 1946.

G. Auchinleck,
General.
Commander-in-Chief in India

APPENDIX I

Proclamation of the Provisional Government of Azad Hind, Singapore, 21 October 1943

Bhulabhai Desai, *INA Defence* (published by INA Defence Committee), New Delhi, 1946.

After their first defeat at the hands of the British in 1757 in Bengal, the Indian people fought an uninterrupted series of hard and bitter battles over a stretch of one hundred years. The history of this period teems with examples of unparalleled heroism and self-sacrifice. And in the pages of that history, the names of Sirajuddaula and Mohanlal of Bengal, Haider Ali, Tipu Sultan and Velu Thampi of South India, Appa Sahib Bhonsle and Peshwa Baji Rao of Maharashtra, the Begums of Oudh, Sadar Shyam Singh Atariwala of Punjab and last but not least, Rani Laxmibai of Jhansi, Tantia Topi, Maharaj Kunwar Singh of Dumraon and Nana Sahib among the names of all these warriors are forever engraved in letters of gold. Unfortunately for us, our forefathers did not at first realise that the British constituted a grave threat to the whole of India and they did not therefore put up a united front against the enemy. Ultimately, when the Indian people were roused to the reality of the situation, they made a concerted move and under the flag of Bahadur Shah in 1857, they fought their last war as free men. In spite of a series of brilliant victories in the early stages of this war, ill-luck and faulty leadership gradually brought about their final collapse and subjugation. Nevertheless, such heroes as the Rani of Jhansi, Tantia Topi, Kunwar Singh and Nana Sahib live like eternal stars in the nations' memory to inspire us to greater deeds of sacrifice and valour.

Forcibly disarmed by the British after 1857 and subjected to terror and brutality, the Indian people lay prostrate for a while—but with the birth of the Indian National Congress in 1885 till the end of the last World War, the Indian people, in their endeavour to recover their lost liberty tried all possible methods—namely, agitation and propaganda, boycott of British goods, terrorism and

sabotage—and finally, armed revolution. But all these efforts failed for a time. Ultimately in 1920, when the Indian people haunted by a sense of failure, were grouping for new methods, Mahatma Gandhi came forward with the new weapon of non-cooperation and civil-disobedience.

For two decades thereafter, the Indian people went through a phase of intense patriotic activity. The message of freedom was carried to every Indian home. Through personal example, people were taught to suffer, to sacrifice, and to die in the cause of freedom. From the cities to the remotest villages, the people were knit together into one political organisation. Thus the Indian people not only recovered their political consciousness, but became a political entity once again. They could now speak with one voice and strive with one will for one common goal. From 1937 to 1939, through the work of the Congress Ministries in eight provinces, they gave proof of their readiness and their capacity to administer their own affairs.

Thus, on the eve of the present World War, the stage was set for the final struggle for India's liberation. During the course of this war, Germany, with the help of her allies, has dealt shattering blows to our enemy in Europe—while Nippon, with the help of her allies has inflicted a knockout blow to our enemy in East Asia. Favoured by a most happy combination of circumstances, the Indian people today have a wonderful opportunity for achieving their national emancipation.

For the first time in recent history, Indians abroad have also been politically roused and united in one organisation. They are not only thinking and feeling in tune with their country men at home, but are also marching in step with them along the path of freedom. In East Asia in particular, over two million Indians are now organised as one solid phalanx, inspired by the slogan of 'Total Mobilisation'. And in front of them stand the serried ranks of India's Army of Liberation, with the slogan 'Onward to Delhi' on their lips.

Having goaded Indians to desperation by its hypocrisy, and having driven them to starvation and death by plunder and loot, British rule in India has forfeited the goodwill of the Indian people altogether, and is now living a precarious existence. It needs but a flame to destroy the last vestige of that unhappy rule. To light that flame is the task of India's Army of Liberation. Assured of the enthusiastic support of the civil population at home and also of a large section of Britain's Indian Army and backed by gallant and invincible allies abroad, relaying in the first instance on its own strength, India's Army of Liberation is confident of fulfilling its historic role.

Now that the dawn of freedom is at hand, it is the duty of the Indian people to set up Provisional Government of their own, and launch the last struggle under the banner of that Government. But with all the Indian leaders in prison and the people at home totally disarmed—it is not possible to set up a Provisional Government within India or to launch an armed struggle under the aegis of that Government. It is therefore the duty of the Indian Independence League in East Asia, supported by all patriotic Indians at home and abroad, to undertake this task—the task of setting up a Provisional Government of Azad Hind (Free India), and of conducting the last fight for freedom, with the help of the Army of Liberation (that is, the Azad Hind Fauj or the Indian National Army) organised by the League.

Having been constituted as the Provisional Government of Azad Hind by the Indian Independence League in East Asia, we enter upon our duties with a full sense of the responsibility that has devolved on us. We pray that Providence may bless our work and our struggle for the emancipation of our Motherland, and our comrades in arms for the cause of her Freedom, for her welfare and her exaltation among the nations of the world.

It will be the task of the Provisional Government to launch and to conduct the struggle that will bring about the expulsion of the British and of her allies from the soil of India. It will then be the task of the Provisional Government to bring about the establishment of a permanent National Government of Azad Hind constituted in accordance with will of the Indian people and enjoying

their confidence. After the British and their allies are overthrown, and until a permanent National Government of Azad Hind is set up in Indian soil, the Provisional Government will administer the affairs of the country in trust for the Indian people.

The Provisional Government is entitled to and hereby claims, the allegiance of every Indian. It guarantees religious liberty, as well as equal rights and equal opportunities to all its citizens. It declares its firm resolve to pursue the happiness and prosperity of the whole nation and of all its parts, cherishing all the children of the nation equally and transcending all the differences cunningly fostered by an alien government in the past.

In the name of God, in the name of bygone generations who have welded the Indian people into one nation, and in the name of the dead heroes who have bequeathed to us a tradition of heroism and self-sacrifice, we call upon the Indian people to rally round our banner, and to strike for India's freedom. We call upon them to launch the final struggle against the British and all their allies in India, and to prosecute the struggle with valour and perseverance and with full faith in final victory—until the enemy is expelled from Indian soil, and the Indian people are once again a Free Nation.

Signed on Behalf of the Provision Government of Azad Hind

Subhas Chandra Bose (Head of State, Prime Minister and Minister for War and Foreign Affairs);

Capt. Mrs Lakshmi (Women's Organisation);

S.A. Ayer (Publicity and Propaganda);

Lt Col A.C. Chatterjee (Finance);

Lt Col Aziz Ahmed, Lt Col N.S. Bhagat,

Lt Col J.K. Bhonsle, Lt Col Gulzara Singh

Lt Col M.Z. Kiani, Lt Col A.D. Loganadhan,

Lt Col Ehsan Qadir, Lt Col Shah Nawaz

(Representatives of the Armed Forces);

A.M. Sahay, Secretary (with Ministerial rank);

Rash Behari Bose (Supreme Adviser);

Karim Ghani, Debnath Das, D.M. Khan, A. Yellappa,

J. Thivy, Sardar Ishar Singh (Advisers);

A.N. Sarkar (Legal Adviser)

APPENDIX II

Interrogation Report on Captain Habibur Rahman, Subhas Chandra Bose's Companion in Taihoku Air-crash.

GOI, Defence Department, File No. 427/INA, NAI.

CSDIC (India), Red Fort, Delhi.

No. 2 Section Report No. 1156 Dated 31 December 1945:

The information contained in this Report is derived from interrogation. Although every effort is made to ensure accuracy, the original statements on which it is based are difficult to assess, and are often made under the influence of motives not conducive to veracity. A full record of these original statements is kept here, and is available for reference if required.

Description of Individual

No. Rank and Name	Capt. Habib-Ur Rahman Khan (CSDIC(I) B 1269)
Unit	1/14 Punjab
Class	P.M.—Chib Rajput
Family	S/o Raj Manzur Ahmed Khan (dead)
Address	N.O.K: Mrs Habib-ur-Rahman Khan (Wife) Village & Po.: Panjeri PS: Bhimber Dist. Mirpur
Description	Age 32 years. Height 5'8' Scar on left eye brow
Languages	Punjabi, English, Pushtu, Mala and a little Japanese
Exhibits	Nil
Date of rejoining in the field	15th September 45

1. Introduction

B1269 is a regular officer who was commissioned in 1936. He saw front-line service in the Malayan campaign until 28 Jan. 42 when he surrendered at Kuala Lumpur. In September 42 he joined the INA., but left it when the Mohan Singh crisis occurred. He rejoined the INA in May 43, as Comd Neesoon OTS and later served in various high staff appointments. He was the only other Indian traveling with S.C. Bose at the time Bose met with a fatal accident in the plane crash which occurred in Taihoku (Formosa) on 18 August 45.

This Report may be read in conjunction with the following CSDIC(I) 2 Sec Reports:

458 Para (s)	5	On Hav Tara Podo Dutt (B313)
553 '	5	Sep Ude Singh (B463)
561 '	4	L/NK Hazara Singh (B435)
563 '	8, 11	2/Lt Ajmer Singh (B487)
580 '	3,14	Hav Clerk C. Basu (B420)
612 '	5	Hav Shiv Charan Singh (467)
620 '	16, 17	Lt Jang Bahadur Singh Grewal (C634)
633 '	5, 22	L/NK Risal Singh (B466)
637 '	4	Capt. Maghar Singh (B510)
945 '	7	Lt Tajammal Hussain (B965)
946 '	5, 9	Lt Harbans Singh Bedi (B966)
948 '	5, 6, 11,15, 18	Lt Kazi Mohd Saleem (B961)
950 '	5	Lt D.C. Nag (B964)
957 '	4(c)	T/Capt. Abdul Rashid (B957)
960 '	3	Lt Mahboob Ahmad (B960)
975 '	8	Lt Man Singh (B975)
1089 Appendix 'A'		Maj. Bhonsle (B1189)

References are also invited to the following:

3 FIC No. 742	on Lt Jang Bahadur Singh Grewal (C634)
3 AFIC No. P1216	on Hav Lachhman Singh
5 FIC No. K 914	on Cook Rama Keni

A copy of a speech made over the Singapore Radio Station by B1269 on 7/8 July 45.

Paras 18, 76, 126 and 127 of CSDIC(I) 'S' See Report No. 1007 on Capt. Mohan Singh.

Letter No. 63/2/34/GSI (b) dated 6 November 45 from HQ SACSEA Commission No. 1, Saigon.

There is no FIU Report on B1269. Up to time of publication, no Interrogation Reports have been received at CSDIC(I) of any interrogations of B1269 carried out in Japan by either American or British authorities.

2. Early History

1930	Matriculated from Siri Ranbir School, Jammu
1933	While studying as a fourth year student in the Prince of Wales College, Jammu, B1269 appeared for the Entrance Examination of the IMA, Dehra Dun.
Feb. 34	Joined IMA, Dehra Dun
June 36	Commissioned as 2/Lt. and att. Duke of Wellington Regt at Nowshera
July 37	Posted to 1/14 Punjab in Waziristan
1938	Promoted Lt.
1938/March 41	Served with Bn at Bannu, Lahore and Secunderabad

Note: B1269 comes from a military family of Chib Rajputs. His great grandfather raised a squadron of cavalry (all Chibs) for the old 12 Bengal Lancers. B1269 is the only son. Practically all males in B1269's family are serving in the Indian Army. B1269's uncle (Raja Fazal Rehman) is (or was) a Recruiting Officer in the Jhelum and Rawalpini districts. Another uncle is Maj. Gen. Abdur Rehman in the Alwar State Forces

3. Overseas Service

17th March 41	Ari Penang with 15 Bde as Bde 'IO' and moved to Ipoh.
May 41	Moved with Bde to Sungei Patahi
Sept. 41	Promoted Captain
Sept. 41	B1269 returned to his Bn at Jitra and appointed Adj. Capt. Mohan Singh was then Comd HQ Coy while Capt. Kiani was a Staff Officer in 11 Div HQ. (See paras 18 and 52 of CSDIC(I) 'S' Sec Report NO. 1007 on Capt. Mohan Singh for a statement of the relations between these two officers at this time).

4. Malaya Campaign

8 Dec 41	While Bn was waiting to entrain for Siam the Japanese bombed Jitra defences. Bn was therefore ordered back to take up defensive posns. (positions) B126 remained at Bn HQ while 'D' Coy engaged the enemy in the Changlun area.
9 Dec 41	The rest of the Bn moved up to Changlun area
12 Dec 41	The Bn was ordered back to Jitra, and, while returning, about 10 or 11 Japanese medium tanks broke through the Bn posns. which caused great confusion. B1269 however remained at his post, and was able to collect some of his men, among whom were:
	(1) Jem. Sujan Singh (Dogra)
	(2) Sep. Chiragh Hussain Shah
	(3) Sep. Jarnail Singh (Dogra)
	and a few signalers
	B1269 and the a/m moved through jungle towards Kodang-Jitra road and stayed the night in a Malayan hut.

- 13 Dec 41 Continued journey along Jungle paths and met Lieut. (Lt Col) Gurbaksh Singh Dhillon (B1062), of 1/14 Punjab with about 20 other IORS and BORS. On reaching the main road, B1269 and party went to Kapala Batas RS as fighting was going on in Jitra.
- 14 Dec 41 Japanese attacked the Kapala Batas RS. B1269 and party made for Alor Star, but two miles before reaching the town they heard that the Japanese were already there and the party then moved towards the coast.
- 15 Dec 41 Party moved to Kuala Kedah, and were joined en route by about 80 British troops under a British Maj. and some Indian troops, thus increasing the party to about 150.
- 16 Dec 41 The party requisitioned five boats and went to Penang where they reported to 3 or 7 MRC. They then moved with the MRC to the Nibong Tibel bridge, where B1269 and Lt Gurbaksh Singh Dhillon (B1062) were put in command of Coys. guarding the bridge.

5. B1269 Rejoins his Unit at IPOH

- 20 Dec 41 B1269 moved with MRC to Ipoh where he was sent to his unit the following day. The strength of the unit was then about 600 and the officers were:
- (1) Maj. Anderson Comd
 - (2) Capt. A.I.S. Dara Coy Comd (now in Delhi)
 - (3) Lt Dickie Coy Comd
- B1269 took over Adj't's duties, while Lieut Gurbaksh Singh Dhillon was sent to the rear as he had fallen ill. The Bn then moved to Kampar where it took up defensive posns. B1269 was given command of 'C' Coy in place of Capt. A.I.S. Dara who had fallen ill.
- 25 Dec 41 Bn took up posns. at Sungkai
- 6/8 Jan 42 While Bn was in posn. 33 miles N of Kuala Lumpur, 'B' Coy composed of Sikhs was sent back to protect Bde HQ. A small party of 40/50 Pathans are (arrived) same day as reinforcement.
- 9 Jan 42 Japanese attacked Bn posns. from the rear. 'C' Coy which was on the extreme right flank was cut off from rest of Bn. It continued fighting until 1400 hrs when the situation became desperate owing to lack of supplies and support. Up to this time B1269 had made several attempts to contact Bn HQ, and each time patrols returned with reports that numerous dead bodies were seen in the British posns. on the left, and B1269 also heard from stragglers that the British Bn had retired.

6. B1269 Extricates Himself from Encirclement

While B1269's Coy was in this critical posn., some of the VCOs suggested that they should surrender. Sub Maj. Mohd Hayat approached him with this proposal which had been suggested to him by other P1 Comds. among whom were:

- (1) Sub. Ghulam Gillani
- (2) Jem. Jahan Das

B1269 refused to accept the proposal and said that he would fight to the last. He thereupon ordered his men to open heavy fire and followed this with bayonet charges. They then moved into a rubber estate and took with them their lightly wounded. On coming out on the main road, they marched for 2 or 3 miles towards Kuala Lumpur. In the dark they were fired upon, and B1269 ordered the Coy to

- take up a posn. and sent out a patrol to ascertain the posn. of the enemy. B1269 returned to the rear to attend to Sub Maj. Mohd Hayat, who was wounded in the head. In the meantime there was firing going on and B1269 waited for two hours for information, but as no one turned up he retired to a village about a mile away, and took with him the wounded Sub Maj. and his remaining men.
- 10 Jan. 42 Sub Maj. Mohd Hayat died of wounds.
B1269 broke up his men into small parties and ordered them to make towards Kuala Lumpur where they would join the British forces in the rear. B1269 with his orderly Sep Sultan Khan and 5 or 6 Ors, after a difficult trek through jungle, entered a village in which some Indians lived and there they discarded their uniform and wore civilian dress to avoid capture.
- 13 Jan 42 B1269 reached Kuala Lumpur with his orderly. The town was completely occupied by the Japanese. B1269 disclosed his identity to a Sikh pensioner (name forgotten) and stayed in his house for the night.
- 14 Jan 42 B1269 accompanied by his orderly made for the front-line with a view to escaping. Tried but failed to beg a lift forward on a Jap lorry proceeding to the front.
- 16 Jan 42 Reached Kajang and stayed with an ex-policeman who informed him of the PW Camp at Kuala Lumpur.

7. B1269 Surrenders

- 18 Jan 42 Owing to difficulties of moving further forward, B1269 returned to the suburbs of Kuala Lumpur and reported at the PW Camp there.
- Comment: There is no doubt that B1269 fought bravely and resourcefully, and did his utmost to rejoin British forces.

8. In Kuala Lumpur Camp

- Jan/Apr 42 B1269 worked as one of the five 'Battalion or Work Party Commanders' at the Kuala Lumpur Camp. There was the usual propaganda going on for volunteers, but B1269 did not respond. Met Mohan Singh at this camp who gave B1269 the impression that he was imbued with anti-British ideas at the time. (Compare this with para 52 of CSDIC(I) 'S' Sec Report No. 1007 on Mohan Singh).

9. At Other PW Camps

- May 42 Moved to Neesoon Camp where B1269 joined men of his unit. Attended Mohan Singh's propaganda lectures. Did not endorse Bidadari resolutions and did not favour the idea of the formation of the INA.
Posted to Indian PW HQ 'A' Branch under Lt Col Gilani.
- Jun 42 Attended the Bangkok Conference as his name was included among others to attend it. B1269 disclaims any connection with Capt. Mohan Singh's efforts at subverting PW.
- Sept 42 PW HQ moved to Bidadari Camp.

10. B1269 Joins the INA

- Sept 42 B1269 gazetted in the INA as '2/Lt' after signing the volunteer form. B1269's reasons for joining are:
(a) That the Japanese invasion of India was inevitable

(b) therefore by joining the INA he considered he could save India from Japanese atrocities during their invasion.

11. Services in the INA

Sept 42 B1269 served as Adj. in INA HQ with rank of 'Maj.'.
 Oct 42 On Mohan Singh's orders, B1269 flew to Burma to make a general reconnaissance of how Japanese were treating Indians in Burma, and to inspect possible accommodation for the forthcoming move of the INA Advance Guard. B1269 in Rangoon met Murata and Ayoyogi (respectively 'Q' Medical Liaison Officers) and Iwakufu.
 B1269 confirms para 127 of 'S' Sec Report 1007 on Mohan Singh.
 Nov 42 Promoted 'Lt Col'.
 Arrived in Burma as OC INA Adv Party with Capt. (Col) Gulzara Singh as his 2 i/c. Before leaving for Burma, B1269 spoke to Mohan Singh about the Japanese ratifying the resolutions of the Bangkok Conference, and as a result of this conversation Mohan Singh gave B1269 written orders that none of the personnel with the Adv Party were to be employed in an active roll in Burma.
 End Dec 42 After reorganizing various INA camps in Burma B1269 returned to Singapore. During the crisis B1269 took off his INA badges and became a non-volunteer.

12. B1269 As a Non-volunteer

Jan 43 At Bidadari PW Camp with other non-volunteers.

13. B1269 Rejoins the INA

May 13 B1269 rejoined the INA and posted as Comd of the O.T.S. Neesoon.
 B1269 once broadcast from the Broadcasting Station of PG of Azad Hind, Singapore—The talk was about the formation of the INA, its training, composition etc.
 Note: B1269 denies having broadcast the copy of speech contained in Appendix 'A'.
 Apr 44 Joined the Adv HQ INA in Burma as Asstt. Chief of Staff.

14. B1269 Visits Tokyo

Nov 44 B1269 visited Tokyo with Bose, Col Chatterjee and M.Z. Kiani to discuss:
 (a) increasing INA strength and obtaining more weapons.
 (b) problems concerning co-ordination of INA with Japanese Command in operational areas.
 (c) to decide issues raised by the Japanese command in Burma regarding the trial of INA personnel involved in sabotage or espionage against the Japanese.
 A complete understanding was reached on all the points raised. B1269 stated that he was not aware of any political matters dealing with foreign affairs being discussed by Bose at Tokyo.
 Note: Information on this subject is being published shortly in a CSDIC(I) 2 See Information Report.

15. B1269 Returns to Singapore

16 Feb 45 B1269 received orders from Bose who was in Burma to proceed to Singapore, and relieve Maj. (Col) Bhonsle (B1189) Chief of Staff who was required at Advance

Supreme HQ. At the time of his departure, B1269 did not receive any special instructions from Bose so far as reorganization of rear HQ was concerned, or any other matters relating to the movement. The following accompanied B1269 in the plane which carried him to Singapore:

- (1) Khiamal -a merchant of Saigon
- (2) Sep. Sultan Khan -Orderly to B1269.

Serial 1 told B1269 that he had visited Rangoon in connection with matters relating to supplies of IIL HQ. During the two days halt at Bangkok, B1269 visited the IIL Office and met its president Ishar Singh with whom he discussed the general situation in Burma.

16. At Singapore

Feb/June 45 On arrival in Singapore B1269 took charge as Deputy Chief of Staff. Maj. Bhonsle left for Burma about 12 days after B1269's arrival in Singapore. As Deputy Chief of Staff, B1269 did not make any alterations in the existing organisation of the INA. B1269 has not been able to give an account of Japanese Intelligence activities in Malaya and pleads ignorance.

17. Meets Bose at Bangkok

Jun 45 B1269 was called to Bangkok by telegram to meet Bose. On arrival at Supreme HQ INA Bangkok, B1269 met the following:

- (1) Maj. Bhonsle (B1189)
- (2) Capt. S.A. Malik
- (3) 'P.S. Rathuri 18 R Garh R
- (4) 'Chopra 17 Dogra
- (5) 'Maj' Hassan
- (6) Capt. S.N. Gupta 5/11 Sikh
- (7) Maj Thakur Singh Kapurthala Inf Comd 'X' Regt INA. He had succeeded in reaching Bangkok with a party of 100 men

B1269 also saw the following Cabinet Ministers of the PG of Azad Hind:

- (8) A.N. Sahai
- (9) Ishar Singh
- (10) Karim Ghani
- (11) Thivy
- (12) Deb Nath Das
- (14) D.M. Khan

B1269 stayed at Bangkok for 3 days, during which period he had two short interviews with Bose when he discussed matters regarding the INA in Malaya, employment of INA troops against Chinese Guerrillas, transfer of officers and various other administrative problems. Bose informed B1269 that he would go to Singapore and personally look into these matters. B1269 returned to Singapore by air accompanied by Bose and 'Capt.' Shamsher Singh ADC to Bose. Most of Bose's time in Singapore was absorbed in preparing speeches for broadcasts to India in connection with the Wavell proposals.

Jul/Aug 45 B1269 visited Seremban INA camp and held an enquiry into the disturbances that had occurred there when some men revolted against the Camp Comd Capt. (Lt Col) Jaswant Singh. Maj. Nagar accompanied B1269 to Seremban and

the following day Bose, accompanied by Lt Col Alagappan, and S.A. Iyer also visited Seremban. Bose stayed there for two days when he met Mazumdar, President of the Seremban INA. From Seremban, Bose went to Kuala Lumpur where he visited the League HQ and INA Camp.

8 Aug 45 B1269 returned to Singapore leaving Alagappan and Nagar to deal with the enquiry at Seremban.

13 Aug 45 Bose returned to Singapore via Seremban.

Note: Information supplied by N. Raghavan on Bose's activities in Malaya in June-July 45 will be found at Appx 'B'.

18. The Surrender of the Japanese

14 Aug 45 A messenger from Hachiya (Minister to the PG of Azad Hind) handed Bose a note that the Japanese Government had decided to surrender and asked Bose whether he had anything to communicate to them on behalf of the PG of Azad Hind. In the afternoon Bose called a meeting at which the following were present:

- (1) B1269
- (2) S.A. Iyer
- (3) Alagappan
- (4) Nagar
- (5) M.Z. Kiani
- (6) A.N. Sirkar

Bose read the message of Hachiya and then invited suggestions as to their further line of action. At the meeting it was decided that the INA would also surrender and that every one was to stay where he was, including Bose who decided to surrender at Singapore. Orders were then issued by Bose to distribute 3 months pay to all ranks, and to ensure that each INA Camp was provided with 2/3 months rations.

19. Departure to Bangkok

15 Aug 45 At about midnight, B1269 was summoned by Bose, and on his arrival at Bose's Bungalow he found S.A. Iyer and Capt. S.N. Gupta 5/11 Sikh already there. B1269 was ordered to make over charge of the INA HQ to M.Z. Kiani and to get ready for a journey to Bangkok on the following morning. The plan then was for Bose and B1269 to return to Singapore within 2/3 days, and therefore only bare necessities were carried on this journey. B1269 received further orders from Bose to destroy all Army records. These orders were conveyed to M.S. Kiani for execution. B1269 learnt from S.A. Iyer that the object of Bose's visit to Bangkok was to contact Hachiya and Lt Col Isoda in connection with the surrender plans. B1269 disclaims all knowledge of any secret orders issued by Bose to any INA or IIL personnel.

16 Aug 45 B1269 arrived at Bose's Bungalow at 0900 hrs where he saw the following:

- (1) S.A. Iyer
- (2) M.Z. Kiani
- (3) Alagappan
- (4) 'Capt.' Shamsheer Singh
- (5) Lt Col Malhotra
- (6) A young Japanese officer of Hikari Kikan

(7) Capt. Pritam Singh Kapurthala Inf

B1269 believes that Dr Lakhshmaya (Chirman of IIL Singapore) and A.N. Sirkar were also present there but he is not definite about this. B1269 together with Bose and the a/m serials 1 to 7 went to the Civil Aerodrome where Bose, B1269, S.A. Iyer and Capt. Pritam Singh boarded a Japanese twin engine bomber especially chartered for Bose and party. B1269 carried a traveling bag and a suit case containing a consolidated statement of INA strength in Malaya. He states that he does not remember details of luggage carried by Bose and others. The plane which left Singapore at 0930 hrs halted for an hour at Taiping, and reached Bangkok at about 1500 hrs that evening. They were not met by anybody at Bangkok aerodrome, due to telephone lines being dislocated as a result of air raids. At Bangkok aerodrome Bose waited for an hour after which B1269, Bose and Iyer left by car. On the way they met Bhonsle who took them in his car to a bungalow where Lt Col Isoda and Hachiya were living. There they met Lt Gen Isoda, Hachiya and Col Gagawa spoke in English. They discussed the INA and Japanese surrender. Hachiya and Isoda informed Bose that no orders had been received from the Japanese Govt regarding the INA surrender, and therefore they were not in a position to advise on the proposal of a separate surrender by the INA. They suggested that Bose go to the Japanese HQ at Saigon to visit Fd. Marshal Terauchi stating that they would be glad to accompany him there.

After this discussion Bose went to a bungalow in the suburbs of Bangkok (the same bungalow where Bose usually stayed while in Bangkok). The following visited him there:

- (1) Maj. Bhonsle (B1189)
- (2) Ishar Singh
- (3) Capt. (Col) Gulzara Singh
- (4) Civ. (Col) Hassan
- (5) D.M. Khan
- (6) Capt. (Col) S.A. Malik
- (7) Deb Nath Das
- (8) Parmanand
- (9) Jem. (Lt) Risvi

The a/m held an informal talk, and B1269 disclosed to some of them that Bose was likely to return to Singapore within a couple of days.

20. The Last Movement of S.C. Bose

17 Aug 45

Two bombers carrying Bose and party took off for Saigon at about 0830 hrs. The following traveled in the same plane as Bose:

- (1) S.A. Iyer
- (2) Deb Nath Das
- (3) Capt. Gulzara Singh
- (4) Civ. Nageshi

The other plane was occupied by:

- (5) B1269
- (6) Lt Gen. Isoda
- (7) Hachiya

(8) Civ. (Col) Hassan-Arrested in Bangkok

(9) Capt. Pritam Singh

About a dozen INA officers and men and also 2 or 3 local civilians assembled at the airfield to see them off. D.M. Khan was among them, but B1269 has no information about Khan's subsequent movements.

21. At Saigon

17 Aug 45

Both bombers reached Saigon about 1130 hrs the same day. A number of Japanese officers met them but there were no Indians present. At the airfield Hachiya and Lt Gen Isoda conversed with a Col on Fd. Marshal Terauchi's staff, after which Bose was informed that it would be necessary for him to visit Terauchi's HQ located about half an hour's flying distance from Saigon airport. Bose agreed to go, but half an hour later the Japanese informed Bose that as a result of the surrender, general confusion existed and that no useful purpose would be served by Bose going to Terauchi's HQ.

17 Aug 45:

Bose and party then motored to a vacant house originally occupied by Lt Col Chatterjee. At about 1500 hrs Hachiya and Isoda together with the Staff Coloner informed Bose in the presence of Iyer and B1269, that Marshal Terauchi had received no orders from Tokyo in connection with the surrender of the INA, and therefore he was not in a position to give any advice on the matter. Bose then asked the Japanese whether transport was available to take him and his staff to Tokyo in order to settle the matter there of a separate surrender. After this Bose conferred with the following of his staff:

(1) B1269

(2) Capt. Gulzara Singh

(3) S.A. Iyer

(4) Capt. Pritam Singh

(5) Civ. (Col) Hassan

(6) Deb Nath Das

All agreed that, flying to Tokyo was quite possible as the region between Saigon and Tokyo was still under Japanese control. It was further decided that the following

(7) S.A. Iyer

(8) B1269

(9) Capt. Gulzara Singh

(10) Civ. (Col) Hassan

should accompany Bose to Tokyo if transport for them was available. The Japanese Staff officer arrived soon afterwards, and informed them that a plane bound for Tokyo was about to take off from Saigon airfield, but that only two persons could be accommodated in it. Bose insisted that he should get 5 seats, and the Staff Officer gave an assurance that the remaining three seats would be made available the following day. Bose then held another discussion with his would be companions, and it was decided that he himself should go to Tokyo while the rest would follow the next day. Bose then looked at all those present and selected B1269 to accompany him. Bose's luggage was packed by Civ. (Col) Hassan and it consisted of:

(a) a suit case 22' by 15' by 9' approx.

(b) 2 small attaché cases 15' by 8' by 6' approx.

B1269 states that he has no knowledge as to the contents of these cases, as he never handled them.

Note: B1269 has been questioned about the large quantity of gold Bose is alleged to have carried away with him from Burma, but B1269 disclaims all knowledge of it. Civ. Dina Nath (Chairman of Azad Hind Bank) has stated that of the Rs 15 crores of PG of India's total assets held in the Azad Hind Bank, 7-1/2 crores in Japanese paper currency, and 145 pounds weight of gold. The gold was taken by Bose to Bangkok on 24 April 45 when the INA HQ evacuated Burma.

17 Aug 45 By 16:30 hrs that evening, Bose and B1269 entered the plane which was a twin engine bomber of the type used on their flight from Singapore to Saigon. B1269 does not know the Japanese bomber formation to which this aircraft belonged, nor has he any idea about its registration number. Besides Bose and B1269 there were other passengers whose respective positions in the bomber are given below:

- (3) The wireless operator was seated in the nose
- (4) In the pilot's seat was a Japanese sub off
- (5) A Japanese air-man sat on the right of the pilot
- (6) A Japanese Air Force Officer sat behind the pilot
- (7) A Japanese Gen named Shedai sat on the right of No. 6
- (8) Bose sat behind Gen Shedai
- (9) B1269 sat behind Bose
- (10) A Japanese Colonel of the Air Force sat in the turret
- (11) Lt Col Sakanaki sat in the turret with No. 10
- (12) A Japanese Major sat in the tail with
- (13) another Japanese Offr.

Serials 3-7 were already seated in the bomber when Bose entered the plane. As soon as Bose entered Gen Shedai exchanged greetings with Bose. There was no formal introduction. Before leaving, Bose gave instructions to those left behind that they should follow him by plane as soon as possible. As far as B1269 knows, it was Bose's intention to return to Singapore after he had visited Tokyo and made arrangements there regarding a separate surrender for the INA.

22. At Tourane (FIC)

17 Aug 45 The bomber reached Tourane (FIC) airfield at about 18:30 hrs. The Japanese placed a staff car at the disposal of Bose, in which Bose, B1269 and the Japanese Maj. drove off to the hotel in the town. B1269 stayed with Bose in this hotel for the night, but they lived in separate rooms.

18 Aug 45 B1269 and Bose arrived at Tourane at 0830 hrs, and entered the same bomber that they had traveled in the previous day. All passengers occupied seats in the same order as on the previous day's flight. There was no change in the number of passengers, and the luggage carried was also the same. Bose wore a khaki bush shirt and khaki trousers. His head dress was a khaki Fd Cap of Fd Service pattern.

18 Aug 45 On his right chest he wore a League HQ badge and also the INA tricolour badge. As far as B1269 is aware, Bose was not wearing a wristlet watch, although B1269 cannot say whether he carried one in his pocket. B1269 knows nothing about the watch which Bose is alleged to have given to Bhonsle (B1189).

Note: Major Bhonsle possesses a gold watch and chain which he stated was given to him by Bose at Bangkok on 17 Aug 45
B1269 insists that, as far as he was aware, it was Bose's intention to return from Tokyo as soon as he had completed his business there.

23. The Crash

18 Aug 45 At about 1400 hrs the bomber reached Taihoku (Formosa) airfield where it refuelled and the passengers had lunch. No Indian was there to meet them and neither did Bose interview anyone there. While having lunch Bose mentioned casually to B1269 in Hindustani, that he hoped the Japanese would make arrangements for the rest of the party to come in time, and not disappoint them, as they had done previously at the time of his return from Tokyo. After a stay of about half an hour at the airfield, the bomber took off again. Before B1269 and Bose entered the plane, the engine had been started and the crew were all in their places. About 5 minutes after taking off, and when the plane had reached an altitude of about 300 ft. B1269 heard a very loud noise which resembled cannon fire coming from the direction of the nose of the plane. B1269 thought at the time that the plane had been attacked. The aircraft appeared to lose flying speed and crashed almost immediately afterwards, hitting the ground on its nose. The engines as well as the rear of the plane were on fire, B1269 saw Bose attempting to move towards the rear of the plane, but on B1269's suggestion, Bose changed his course and moved towards the front. The celluloid cover above the pilot's position had burst open. Some of the Japanese passengers reached the aperture before B1269 and Bose, and crawling through it, dropped to the ground. The aperture was open to the left side of the plane. Bose then crawled through and was followed by B1269's face was burned on the right side (B1269 carries obvious marks of recent burning and scorching on the whole right side of his face). Alighting on the ground and collecting his wits, B1269 notices Bose in a standing position about 12 yards away with smoke coming from his garments. Bose was endeavouring to remove his clothes. B1269's clothes were not on fire. B1269 rushed towards Bose to help him and finally succeeded in beating out the flames. In doing so, B1269 received severe burns on both his hands (his hands are still bleached and scarred). Bose had sustained serious burns all over his body and when he was laid on the ground B1269 noticed 2 or 3 fractures on the skull. Bose lay for a while on the ground quiet with eyes closed.

18 Aug 45 His last words were in Hindustani 'I feel that I shall die, I have fought for Indian Independence until the last. Tell my countrymen, India will be free before long. Long live Independent India.' B1269 had seen only one Japanese (probably a Capt.) sitting on a boulder near the plane with bleeding injuries on his head. Besides burns on the hands, B1269's face was slightly burnt on the right side, and he also received two minor wounds on the head and one lacerated wound on the right leg below the knee.

Note: 1 B1269 bears marks of burns on the face and on both hands, two slight scars on the head and one mark of an injury on the right leg below the knee.

Note: 2 When asked to explain why S.C. Bose was badly burned and he himself was not, B1269 stated that Bose's clothes may have been drenched in petrol, as Bose sat under a petrol tank in the plane. Bose's clothes were of light weight K.D. B1269

wore knee-boots, serge breech and a serge tunic: his clothes were not burned at all (he wears them now at CSDIC(I).

Within 10 minutes, a First Aid party arrived in lorries, and Bose and B1269 were removed in one of the lorries to the Army Hospital a short distance from the scene of accident. Among others injured who came to the hospital (some before B1269 and others after) were a pilot, a Lt Col, a Major and Lt or Capt. B1269 later said that Gen Shedai, the wireless operator, one of the members of the air crew and the Japanese Air Force officer had died. The Japanese Gen had been killed instantaneously. B1269 remained with Bose from the time of the crash until the death of Bose at about 2100 hrs that night Tokyo time. Bose was treated for his burns and several injections were administered by 3 or 4 Japanese doctors who attended him. B1269 does not know the names of the hospital staff. Whilst in hospital Bose regained consciousness from time to time and uttered a few words, sometimes asking for water and sometimes suggesting that he be given injections. Some Japanese military officers came to the hospital and made inquiries from time to time of Bose's condition. When the doctors announced Bose's death to these officers, B1269 requested them to send news to Bangkok and Singapore about the accident. Bose's body was kept in the room where he died, and B1269 remained there all the night together with Japanese guards and some patients. B1269 states that he did not keep any souvenirs, as none was available on the person of Bose after the accident—all their luggage having been burnt on the plane. Bose's body remained in hospital all that day and night. The Japanese Staff Colonel visited B1269 who requested him to make arrangements for the dead body to be taken to Singapore. B1269 was told that arrangements were being made as requested for the corpse to be taken in a transport plane.

19 Aug 45

20 Aug 45

A coffin made of sandal wood was brought to the hospital and Bose's body was placed therein.

21 Aug 45

B1269 was informed that as the coffin was too large, it was not possible to transport it by plane, and the idea had therefore to be dropped. B1269 then suggested that the body be cremated as the Japanese had said they were unable to preserve it. After the Japanese had signified their consent to this proposal, two photographs of Bose were taken, one with the body fully covered inside the coffin, and the other with the lid of the coffin closed and B1269 seated by its side. Fruit and incense were placed on the coffin in accordance with Japanese custom.

22 Aug 45

At about 1000 hrs Bose's body was removed to a crematorium where a Japanese cleric who spoke excellent English, performed a religious ceremony. After this, Bose's body was taken out of the coffin and placed in a furnace. The door of the furnace was locked and the key was kept by a Japanese military officer. B1269 had declined to take charge of the key as he was at the time running a temperature and was in a very depressed state of mind. The body was then set alight by the cleric's assistant. At the cremation there were about 30 Japanese medical and military officers present. B1269 does not recollect any of their names. B1269 states that he was the only Indian present at the time. About half an hour after the body had been set alight, B1269 left the crematorium with the others.

23 Aug 45

B1269 in the company of the cleric and a Staff Major and 3 or 4 other Japanese visited the crematorium, when the ashes of Bose were collected and placed in a wooden box specially made for the purpose. B1269 was shown a small piece of

- gold among the ashes which he believes was part of one of Bose's gold teeth. The box containing the ashes was then taken to a Japanese temple in the city, where a religious ceremony was again performed by the cleric. At this temple one of the military officers pointed to another box and told B1269 that it contained the ashes of the Japanese Gen, who he said had also died as the result of the air crash.
- 28 Aug 45 B1269 was removed to Hokoto hospital, a distance of about 12 miles from Taihoku. While there, B1269 requested the Japanese authorities to send him back to either Bangkok or Singapore.
- 3 Sep 45 B1269 was told that a plane would be leaving for Tokyo on the following day, and that he could avail himself of this chance and take with him the ashes of Bose to Tokyo.
- 4 Sep 45 B1269 returned to Taihoku and boarded the plane which carried 4 other Japanese passengers including Lt Col Sakamaki and 3 civilians whose names were not known to B1269. B1269 was told that the crash on 18 Aug 45 was due to one of the airscrews being damaged when the plane was taking off. B1269 carried with him the wooden box containing the ashes of Bose, the two photographs of Bose taken on the 21st Aug 45, three photographs of the wrecked plane and a rectangular wrist gold watch with a leather strap.
- Note 1: B1269 explains that this watch was made over to him on 28 Aug 45 by one of the Japanese Mos who had attended Bose at the Taihoku hospital. It may be remarked here, that this watch has since found its way to S.C. Bose's brother Sarat Chandra Bose in Calcutta, and that B1269 admits that two days after his arrival at Delhi he secretly gave this watch to Capt. Shah Nawaz (B1046).
- Note 2: B1269 states that no photograph of Bose's dead face was taken as the face was badly burned and made grotesque by the ointments etc. which had been applied to his skin by the Japanese doctors.

24. At Tokyo

- 4 Sep 45 On arrival at Fukuoka aerodrome B1269 was taken to a Japanese hotel where he spent the night.
- 5 Sep 45 Left Fukuoka by plane about noon and reached an aerodrome (name not known) at 1500 hrs. At Fukuoka Lt Col Sakamaki separated from B1269, as he stated he intended to travel by train from there to Tokyo. Before parting, Sakamaki took charge of the box containing the ashes of Bose as both hands of B1269 were bandaged as a result of burns.
- 6 Sep 45 From the aerodrome on the mainland (name not known) B1269 reached Tokyo by train, where he was met at the railway station by a young Japanese officer. From the railway station B1269 was taken to the house of one of his fellow Japanese passengers, and later that evening moved to the house of Rammurti, the Chairman of the IIL. Tokyo. B1269 explained to Rammurti in the presence of Mrs Rammurti (a Japanese) and 2 or 3 Indian students who were training in the Tokyo Military Academy the circumstances of Bose's death. Shortly before B1269 arrived in Rammurti's house, the box containing the ashes of Bose had reached there. That night B1269 shifted to the house of Mrs Sahay where he again met S.A. Iyer, who explained that he (Iyer) had left Saigon on the 19 or 20 Aug alone, as plane accommodation could not be arranged for the rest of Bose's party.

B1269 is unable to give any information regarding the subsequent movements of the following 4 men who were left behind in Saigon:

- (1) Capt. (Col) Gulzara Singh
- (2) Capt. (Maj.) Pritam Singh
- (3) Deb Nath Das
- (9) Civ. (Col) Hassan

While in the house of Mrs Sahay several Indian students of the Military Academy (whose names B1269 does not recollect) and also Rammurti visited B1269. The same Japanese Military officer who met B1269 at Tokyo Railway Station, questioned B1269 in detail regarding the accident at Taihoku. This same officer also took charge of the two photographs of Bose in a coffin, which B1269 had up then been carrying with him. B1269 states that these photographs had been shown by him to Rammurti, Mrs Sahai and S.A. Iyer.

9 Sep 45

B1269 shifted to another house where he was joined two days later by S.A. Iyer. B1269 while living in this house with Iyer was once interrogated by an American officer and by Lt Col Figgess. (An Indian Army officer on the British Section attached to Gen MacArthur's HQ). B1269 states that both he and S.A. Iyer visited Atami, Nikko, Hakone and Ikao, all small towns on the main island for health and recreation purposes. There were no Indians living at these places, and B1269 disclaims that he or Iyer went to these places on any kind of mission.

19 Nov 45

B1269 left for Delhi by air in the company of Fujiwara, Swada and Matsumoto.

25. Arrival at Delhi

22 Nov 45

Arrived Delhi at 2000 hrs. When he reached the Red Ford with Iyer and the other Japanese officers who travelled with him from Tokyo, he was accommodated with them in the camp of HQ Jumna Area under whose requisition the party had been flown from Japan.

24 Nov 45

At 1000 hrs B1269 met Shah Nawaz (B1046), Gurbaksh Singh Dhillon (B1062), Sahgal (968) and also Mr Bhulabhai Desai and other Defence Counsellors, and narrated to them the circumstances of the accident which resulted in the death of Bose.

27 Nov 45

B1269 was taken over by CSDIC910, with permission of HQ Jumna Area.

26. Atrocities

No information.

27. General

B1269 has emphatically denied having ever delivered any propaganda lectures or ever told any person to join the INA. He states however that over 95 of the men captured in Singapore and Malaya, volunteered for the INA at some time in 1942. B1269 does not think highly of staunch non-volunteers like Capt. Dhargalkar of 3 Cav. whom he refers to as 'moral cowards'. In casual conversation, B1269 still automatically refers to the INA as 'Our Army' and to S.C. Bose administration 'Our Leader'.

28. Attitude Under Interrogation

B1269 has not been very co-operative under interrogation and is considered to have withheld much information, on subjects on which he should legitimately have full knowledge.

29. Miscellanea

Such miscellaneous information as B1269 has given will be published in a CSDIC(I) Information Report. Up to time of going to Press B1269 has denied all knowledge of any plans Bose may have had of 'going underground' in USSR

30. Conclusion

The main interest in connection with B1269's case lies in the fact that he was the only Indian present at the time S.C. Bose met with a fatal accident when the plane carrying them crashed soon after taking off from Taihoku aerodrome on 18 Aug 45. B1269 has furnished convincing details that Bose there met his death and was cremated in Taihoku in the presence of several witnesses. If further proof were required these Japanese witnesses might also be located and examined, if this has not already been done.

B1269 has not been fully frank under interrogation, and this is possibly the result of inadequate measures being taken to segregate him on his arrival at Delhi. It has come to light that soon after his arrival in Delhi he surreptitiously passed out a wristlet watch belonging to S.C. Bose which has since been delivered to Bose's brother in Calcutta.

As regards B1269's connections with the INA, there can be no doubt that his close association with Bose has left a profound impression on him. His superior rank in the INA as Dy Chief of Staff appears to have affected his mental outlook, and there are reasons to believe that in him grave potentialities for harm which he would exert to the utmost if he were allowed freedom. He has, during casual conversation, unwittingly revealed the profound extent to which he has fallen under the influence of S.C. Bose. In his case (as in the cases of many who came within the orbit of Bose's personal influence) it can only be said that his entire mental outlooks and horizons have been radically and irretrievably reoriented by his contacts with Bose. And, like all such cases, B1269, far from showing any sense of compunction for his conduct, sees but the righteousness of the 'cause' and the righteousness of his participation in it ...

Chapter 12. Thoughts on Shaping New India

SECTION I: ECONOMIC ISSUES

1. A Plan of Economic Development for India, Part II

[Popularly known as the Bombay Plan] Released to the Press on 17 January 1945

The First Part of the Plan was brought out in January 1944. Both Part I and II of the Plan were prepared by eight industrialists: Sir Purushotamdas Thakudar, J.R.D. Tata, G.D. Birla, Sir Ardeshir Dalal, Sir Shri Ram, Kasturbhai Lalbhai, A.D. Shroff and John Matthai. Ardeshir Dalal who was appointed Member for Planning and Development in the Viceroy's Council in August 1944 could not be a signatory to Part II, although he was actively associated with its preparation till his assumption of office.

P. Thakurdas, *et. al.*, *A Plan of Economic Development for India*, Part II (Bombay, 1945), Indian Council of World Affairs Library, Sapru House, New Delhi.

Introduction

Our first memorandum dealt chiefly with the problem of production. Both logically and as a matter of practical necessity, the question of production must come before that of distribution in a plan of economic development. This is because in a country of comparatively low production such as India no system of distribution, however meticulously framed, will help to raise the standard of living unless production is vastly increased. But it does not follow that increased production will necessarily remedy the problem of poverty if it is not based on a proper system of distribution. The present memorandum sets out our views regarding distribution and also the allied question of the part to be assigned to the State in a planned economy.

2. Our approach to these problems is twofold. On the one hand, we recognise that the existing economic organisation, based on private enterprises and ownership, has failed to bring about a satisfactory distribution of the national income. On the other hand, we feel that, in spite of its admitted shortcomings, it possesses certain features which have stood the test of time and have enduring achievements to their credit. While it would be unwise to blind ourselves to the obvious weaknesses of the present system, we think it would be equally a mistake to uproot an organisation which has worked with a fair measure of success in several directions.

3. Briefly, we plan for change but we also plan for stability and orderly development. It is our firm belief that if the future economic structure of the country is to function effectively, it must be based on these twin foundations. It must provide for free enterprise but enterprise which is truly

enterprising and not a mere cloak for sluggish acquisitiveness. It must ensure at the same time that the fruits of enterprise and labour are fairly apportioned among those who contribute to them and not unjustly withheld by a few from the many.

Distribution of the National Income

4. The primary object of the plan of economic development outlined in the previous memorandum is to improve the standard of living of the masses. In fact, increased production will be meaningless unless it is directed towards the eradication of poverty. An improvement in the general standard of living involves both increased production and equitable distribution and although we have dealt with them separately, they are closely interrelated and react on each other.

5. At present our production is very small and it is not equitably distributed. The average per capita income of Rs 65 in 1931–32, to which we have referred in our first memorandum, is an arithmetical average which bears little relation to the income realised by the majority of the population, which must be considerably below this figure. The per capita average itself varies from Rs 51 to Rs 166 in rural and urban areas respectively. In 1931–32, one half of the urban workers and ‘even among the comparatively well-to-do class, whose annual incomes exceed Rs 2,000 a year, 38 per cent of their number could claim only 17 per cent of their total income, while a little more than 1 per cent were in possession of as much as 10 per cent of their total income.’ In rural areas, the income of the majority of the people must have been less than the average of 51 rupees. This is because farmers holding less than 2 acres of land form a large proportion of the cultivating class. Moreover, the agricultural labourer, whose wage is sometimes as low as 2 to 3 annas a day, and the cultivator are generally without any work for 3 to 6 months in a year. The increase in population since 1931 must have considerably increased the pressure on this class.

6. In so far as the volume and nature of production are ultimately determined by the consumer demand, gross inequalities in income tend to retard the development of a country’s economic resources. They prevent the needs of the vast majority of the population, which has naturally to be restricted, and lead to social cleavages and disharmony. Productive resources under these conditions tend to be devoted to satisfying the demands of the well-to-do classes while large numbers of people remain inadequately fed, clothed, housed, educated and medically cared for. The large increase in production which is postulated in the plan will be difficult to achieve if the present disparities in income are allowed to persist. To this extent, therefore, equitable distribution is necessarily implied in a plan for increased production. A policy which specifically aims at securing this object should have a double purpose (i) to secure to every person a minimum income essential for a reasonable standard of living and (ii) to prevent gross inequalities in the incomes of different classes and individuals.

7. Concentration of the means of production in the hands of a small group of people has been considered as one of the potent causes of the inequalities of income which prevail in the world at present, as it is also to some extent an incidental result of such inequalities. In the UK, for example, it is estimated that 1 per cent of the persons above 25 derive from their property rights about 20 per cent of the total income of the country. ‘Unequal distribution of incomes from property makes for unequal distribution of incomes as a whole, not only directly through its existence, but also indirectly through its effect on the incomes.’ To secure an equitable distribution of income, it is therefore necessary gradually to reduce the existing inequalities of wealth and property and to decentralise the ownership of the means of production. Imposition of death duties and other similar levies, if undertaken, in pursuance of well defined social objectives, by a government fully responsible to the people, would contribute towards achieving the first object. Reform of the system of land tenures which we suggest would further help progress in the same direction. In the

sphere of industry, we have already indicated in our previous memorandum that the fullest possible scope should be provided for small scale and cottage industries, particularly in the production of consumption goods. The process of decentralisation would be further advanced by encouraging the widespread distribution of shares in joint stock companies, by regional distribution of industries and through the development of cooperative enterprises. Control by the State, accompanied in appropriate cases by State ownership or management of public utilities, basic industries, etc., will also tend to diminish inequalities of income.

8. It is necessary, however, to make clear that although gross inequalities are undesirable, total abolition of inequalities, even if feasible, would not be in the interest of the country. Subject to the provision of a basic minimum, it is desirable to leave enough scope for variations in income according to ability and productivity. This will provide the necessary incentive for improvement in efficiency which is an important factor in the progress of a planned economy. Even in Soviet Russia, after the first flush of enthusiasm for the equalitarian ideal had passed, variations in industrial incomes have been allowed as an important motivating factor making for efficiency. The encouragement given to Stakhanovism¹ is an indication of the change that is rapidly coming about. There is much force in what Lord Keynes says on the point: 'I believe that there is social and psychological justification for significant inequalities of incomes and wealth, but not for such large disparities as exist to-day. There are valuable human activities which require the motive of money-making and the environment of private wealth ownership for their full fruition. Moreover, dangerous human proclivities can be canalised into comparatively harmless channels by the existence of opportunities for money-making and private wealth, which, if they cannot be satisfied in this way, may find their outlet in cruelty, the reckless pursuit of personal power and authority, and other forms of self aggrandisement.'

9. Side by side with the decentralisation of production, and control, ownership or management of public utilities and basic industries by the State, it is also necessary to adjust the rewards of the various factors of production so as to further the reduction of gross inequalities. As a general rule, these rewards, viz. wages, interest and profits, should continue to be determined on the basis of demand and efficiency as at present, subject to the overriding consideration that wages should not fall below a certain minimum and that interest rates should be controlled with a view to maintaining full employment. Profits should be kept within limits through fixation of prices, restriction of dividends, taxation, etc. But care should be taken to leave sufficient incentive for improvement in efficiency and expansion of production.

10. To secure a minimum standard of living we propose two classes of measures: (i) those that would raise the general level of income and (ii) those that would reduce the burden of individual expenditure on consumption goods and services i.e. the cost of living.

11. The measures which we have in view for increasing the general level of income and which we explain in more detail in the paragraphs that follow are:

- (i) provision of full employment,
- (ii) increase in efficiency,
- (iii) improvement in urban and rural wages,
- (iv) security of agricultural prices and development of multipurpose cooperative societies, and
- (v) reform of the land system.

12. Of all the measures that we suggest for raising the general level of income in India, provision of fuller scope for employment is the most important. Although no reliable information regarding the extent of unemployment or under-employment in this country is available, it is recognised

that lack of employment is one of the major causes of the poverty of our people. Provision of full employment for the working part of the population would no doubt present formidable difficulties but without it the establishment of a decent standard of living would remain merely a pious hope. 'If the giant idleness can be destroyed, all the other aims of reconstruction come within reach. If not, they are out of reach in any serious sense and their formal achievement is futile.' In general terms, provision of full employment means ensuring for every grown up person suitable opportunities for earning his or her livelihood, that is, a recognition of the individual's right to work, increased mobility of labour being an essential condition for achieving this object.

13. We expect that the industrial expansion which we have suggested in our previous memorandum will absorb a considerable part of the working population when the plan is completed. In order that the new industries which would be established in the country should provide the maximum volume of employment, we have suggested a comparatively low ratio of capital intensification i.e. a smaller proportion of capital per worker than is usually met within industrialised countries, and the fullest possible development of small scale and cottage industries. In this respect India will do well to take a leaf from the experience of Japan, where, as in India, labour is comparatively plentiful and capital scarce. Statistical investigations show that about one half of the persons employed in the manufacturing industry of Japan in 1930 were in workplaces employing under 5 persons each and about 70 per cent were in workplaces employing under 50 persons. According to information compiled by the Ministry of Commerce and Industry, workplaces employing between 5 and 30 workers accounted for 29 per cent of the employment and 19 per cent of the output in manufacturing industry. The industrial co-operatives which have been recently developed in China might also prove a useful guide to India in this respect. Besides employment in industries, a large part of the population will be absorbed in trade and other services, which will necessarily increase in the wake of increased production and rising standards of living. And yet this will barely touch the problem of 'disguised unemployment' in agriculture which is the crux of the situation.

14. The agriculturist and the agricultural labourer are generally without work for periods extending from 3 to 6 months in the year at present. This unemployment occurs at intervals and is of a seasonal character. Provision of work during these periods of seasonal unemployment is of paramount importance if a policy of full employment is to be successful. The steps which we contemplate for achieving this object are: (i) introduction of mixed farming, i.e., cultivation accompanied by dairy farming, market gardening, etc, (ii) cultivation of more than one crop in a year with the help of better irrigation facilities and increased use of manures, and (iii) provision of subsidiary industries which the cultivator can take up when he has no work on the farm. Among such subsidiary industries may be mentioned the following: spinning and weaving, shoe making, paper making, tanning, gur making, soap making, oil crushing, fruit preserving, basket weaving, flour and starch making, etc.

15. The pattern of occupational distribution when the plan is completed would naturally be different from what it is to-day. Even where complete statistical data regarding existing occupational distribution and future demographic trends are available, it is difficult to forecast with reasonable accuracy the nature of the occupational pattern that might develop after a period of fifteen to twenty years. For India this is specially difficult because the occupational tables for the 1941 census are not yet published. Some indication, however, of the occupational pattern that will result when the plan is completed may be attempted on certain broad assumptions. We assume that the proportion of population engaged in different occupations when the plan begins to operate will be the same as in 1931 and that our population may continue to increase at the rate of five million per annum, which is the average rate of increase for the decade covered by the 1941 census. The

volume of employment in industry, which the investment programme envisaged in the plan would provide, is calculated on the basis of a capital equipment of Rs 1,500 per worker and is added to the number of persons employed in industry in 1947 when the plan might come into operation. This ratio of capital equipment per worker seems reasonable if allowance is made for the fact that small scale industries would have an important scope in the economic development of the country and that adoption of shift working would be necessary with a view to economising capital and providing as much employment as possible. According to the 1931 census, the number of persons employed in services such as public administration, trade, transport, professions, etc. was 80 per cent of that in industry. The development of social services like education and public health on the scale suggested in the plan and the needs of general administration and defence would, on the completion of the plan, absorb a much larger number of people in services than at present. The general economic development of the country would also lead to substantial increase in trade and transport. However, since the development in services which we have postulated in our previous memorandum is proportionately much less than in industries, it is reasonable to assume that the total employment in services when the plan is completed would be about 60 per cent of that in industry. The rest of the population would be dependent on agriculture. On these assumptions, the distribution of working population according to the principal occupations in 1962, that is, in the year following the completion of the plan, would be somewhat as follows as compared with that in 1931.

Occupational Distribution in 1931 & 1962				
	1931		1962	
	millions	per cent	millions	per cent
Agriculture	106.3	72	129.7	58
Industry	22.1	15	57.7	26
Services	19.2	13	34.7	16
Total Working Population	147.6	100	222.3	100
Total Population	338.1	...	494.0	...

16. It should not be forgotten that a policy of full employment, even if successfully carried out, does not necessarily imply in practice that every person willing to work is always employed. In the first place, due to the inherent imperfections in the working of a social policy, which has to take into account a number of incalculable factors, a small percentage of population will always be without work. Secondly, certain trades like the building trade, being seasonal in character, give rise to seasonal unemployment. Finally, due to changes in the technique of production and to variations in demand, large numbers of employed workers are constantly being displaced. The number of persons who would be without work at any particular time owing to these causes could, however, be reduced to manageable dimensions if a well thought out policy of employment was in existence. When the plan is sufficiently advanced and economic conditions are to a certain extent stabilised, it ought to be possible to devise schemes of relief like unemployment insurance for workers subject to unexpected and prolonged periods of unemployment. The government's public works programme, in respect of both, view to reducing the volume of seasonal and temporary unemployment. For those who are unemployed because of technological changes, suitable courses of training to fit them for new jobs should be framed. We believe that during the progress of the plan the amount of construction work, which the investment programme would involve, would itself provide a very substantial increase in the scope for employment.

17. As a result of the spread of general and technical education among workers, better organisation of industries, especially small scale and cottage industries, agriculture and trade, fuller use of cattle power, provision of cheap electricity, improved tools and appliances and fertilizers, etc. the general efficiency of production is bound to record a marked improvement at the end of the planning period. Under a system of decentralised production, the benefits of higher efficiency will be increasingly available to the smaller producer and the worker in the form of a corresponding increase in their incomes. Since a higher standard of living arises largely from increased productivity of labour, improvement in efficiency of production is a material factor in raising the general level of well being.

18. If every person is to be assured a minimum standard of living, it automatically follows that the general level of wages must increase and that the wage rates of industrial and agricultural labour must be gradually adjusted so that the present disparity between them is reduced. The process of improvement must necessarily begin with the wages of agricultural labourers whose number was 30 million in 1931. It must be borne in mind that industrial wages and with them the living standards of industrial workers cannot be advanced beyond a certain limit unless at the same time the standard of living of the rural population is also substantially improved. Generally speaking, the daily wages of agricultural labour under pre-war conditions may be said to range from 2 to 4 annas a day for men, 1-1/2 to 4 annas for women and 1 to 2 annas for children. The average wage of unskilled agricultural labour in 1939 was 5 annas per day in the Bombay province and 2 annas 9 pies per day in the UP. Even at these low rates the agricultural labourer hardly found employment all the year round. Obviously, a number of these workers exist below the subsistence level, always an easy prey to epidemics and famines. When the developments in agriculture which we have broadly indicated in our previous memorandum have taken place and the reforms in the land system which we suggest elsewhere in this memorandum have been carried out, it will be necessary to fix minimum rates of wages for agricultural labour on a regional or local basis. With the development of cooperative farming, the enforcement of minimum agricultural wages, which otherwise might present formidable obstacles, would become less difficult.

19. Although the establishment of a basic minimum wage for all occupations cannot be considered at this stage, a beginning may be made in certain well established industries like cotton textile, sugar, cement, engineering, jute, mining, etc. In the initial stages, the minimum below which wages should not be allowed to fall should be related to the normal wage level prevailing in each industry. The minimum should be revised from time to time till it corresponds with a reasonable standard of living. The fixation of a minimum wage and its subsequent revision should be entrusted to a standing committee constituted for each industry consisting of representatives of employers and workers and a few independent persons.

20. Large fluctuations in the prices of agricultural commodities have been among the most important factors which have prevented agriculturists from making more sustained efforts to improve the yield of the land. To check these fluctuations in future and to assure to the cultivator a measure of security in respect of the prices of his crop, we suggest that, for the principal agricultural crops, the government should adopt a policy of fixing fair prices. In fixing a fair price, account should be taken of the cost of living in the area concerned as well as the cost of production. It would be necessary for enforcing these prices to build up adequate commodity reserves which could be utilised to check violent fluctuations. To prevent a depression in the prices of specific agricultural commodities as a result of foreign imports, the volume of imports should be regulated by means of tariffs or by fixing quotas. It is possible that a large variety of agricultural crops may in future be subject to international agreements. Such agreements, provided, in respect of them,

India is accorded representation on an independent footing, may be expected to lead to a fair measure of stability at a reasonable level in the prices of some of our stable crops.

21. Another factor which prevents the cultivator from improving his output and consequently his income is that, because of the handicaps which he suffers in respect of the marketing of his crop, his realisations fall considerably short of the prices which he might otherwise secure. There are several reasons for the large differences observed in respect of most of our agricultural crops between the price paid by the consumer or exporter and the price realised by the cultivator. As the holding power of the cultivator is generally small, he has to part with his crop almost immediately after it is harvested and it is well known that prices during harvest time are at their lowest, except, of course, in times of abnormal demand. Very often, the purchaser is the money-lender himself to whom the crop is sold under a tacit understanding, previously entered into at what is generally an uneconomic rate for the cultivator. Only a small proportion of the cultivators take their produce to the marketing centres for sale. In most cases, for lack of adequate facilities for storage and finance, it is sold in the village itself, which prevents the cultivator from securing a better price. If multipurpose cooperative societies are established, the difficulties which the cultivator is experiencing at present in marketing his crop, particularly in the matter of adequate finance and storage facilities, would be removed and his share in the price paid by the final consumer increased. Special attention should therefore be devoted to this type of society which so far appears to have found little encouragement in the Indian cooperative movement. Development of communications, standardisation of weights and measures, regulation of markets, spread of commercial intelligence, etc. would further help the primary producer to realise his due share of the price.

22. Along with the development of co-operative farming and irrigation, prevention of soil erosion and of water logging, afforestation, etc., a fundamental reform which is necessary if the target for agricultural production which we have laid down is to be reached and if the income of the cultivator is to be raised is the reform of the land system. Ownership of the land and its taxation, that is, land tenure and land revenue, are the two principal problems which require to be tackled in this connection. As regards ownership, the systems of land tenure which prevail in India to-day can be roughly classified under three categories, viz. (i) the ryotwari system under which land is held directly under the government by individual cultivators who are responsible for the payment of land revenue, (ii) the mahalwari or joint village system under which village estates are held by co-sharing bodies, the members of which are treated as jointly and severally liable for the land revenue and (iii) the zamindari system under which one person or a few joint owners hold the land and are responsible for the payment of land revenue on the whole estate. The last two categories are essentially similar in character. According to whether the revenue is fixed permanently or is amenable to periodic revisions, the land tenure system is also classified as permanent and temporary, but that is not relevant from our point of view. The area under the ryotwari and the zamindari and mahalwari systems in British India is shown below:

	Thousand acres	Per cent
Ryotwari	183,034	36
Zamindari & Mahalwari	326,998	64
Total	510,032	100

Farming in India is predominantly tenancy farming. Most of the cultivators are tenant farmers who acquire land on lease from the zamindars or bigger ryots on payment of rent. In this connection it is necessary to realise that all the land held under the zamindari system is not, as is sometimes contended, let out for cultivation to tenant farmers, nor is all the land held under the ryotwari system cultivated by peasant proprietors. In the United Provinces for instance, which is a zamindari

province, as much as one fifth of the total cultivated area of 35 million acres is cultivated by the landowners themselves. On the other hand, in the Punjab, which is mainly a land of peasant proprietors, the western part of the province is the stronghold of the landlord and the landlord is too often an absentee. Contrary to the common belief, the actual cultivator under the zamindari system, who in the large majority of cases is the occupancy tenant, is for all practical purposes the proprietor of the land he cultivates. His rent is fixed save to the very limited extent to which enhancement is possible under certain conditions; his holding is both heritable and transferable. The various tenancy acts have in effect deprived the zamindar of a considerable part of his proprietary right over the soil and rendered him to that extent a mere collector of rent. Similarly, the incidence of rent under the zamindari system often compares favourably with rents prevailing in the ryotwari areas.

23. As a general proposition it is nevertheless true that under the zamindari system the landlord has largely become a mere rentier and that the system as such has ceased to serve any national interest. Nowhere in India has the system created, as was expected of it, a class of landlords willing to supply capital for the improvement of the land and the extension of cultivation. Although the ryotwari system is not altogether free from the evils commonly associated with the zamindari system, it has the great advantage of bringing the actual cultivator directly in contact with the State. This gives to the cultivator a better status and awakens the State to its responsibilities in the matter of cooperative farming, irrigation, prevention of soil erosion, etc., without which even under a ryotwari system no agricultural improvement would be possible. The Flood Commission which recently reported on the land revenue system of Bengal has after a thorough examination of the question recommended the introduction of the ryotwari system in the place of the existing zamindari tenures. We suggest the gradual application of this recommendation to the zamindari areas in the whole of India, where the landlord is not directly interested in the cultivation of the land he owns. As a first step, 'the State should take over the landlord's functions and pay the landlord a fair rent for the land, deducting there from the expenses incidental to the discharge of these duties. Later on, when the State is in a better position, this may be commuted into a lump sum payment and the landlord's claim thus finally extinguished. For the immediate present, the link between the landlord and the tenant should be broken'. Side by side, it would also be necessary to check the transfer of land from cultivators to non-cultivators and to control rents with a view to reducing the attractiveness of land to speculative investors.

24. Along with the establishment of a class of peasant proprietors, an urgent reform of the system of land revenue is also called for. At present the assessment of land revenue is not based on a uniform system. In certain areas the basis of assessment is rent while in others it is the net produce. There is also no provision for introducing variations in assessment according to price changes, while at the same time the settlement officers who assess the revenue have the discretion to modify the basic principles by introducing a number of miscellaneous considerations. As a result, the incidence of land revenue shows marked variations in different areas. It is also fairly heavy. The reform of the present system would therefore lie mainly in the direction of making the basis of assessment uniform all over the country, so as to secure equality in the incidence of revenue, while retaining a certain measure of elasticity by a provision to vary the assessment from time to time in accordance with the trend of prices. The pitch of assessment should also be lowered. The general trend in other countries is to treat agricultural incomes in the same fashion as other incomes and to apply to them the principles of income tax—an exemption limit and a graduated scale of taxation. It is hardly possible at the present stage to determine how far it would be practicable, in the exigencies of public finance, to fix an exemption limit for agricultural income.

But we consider that agricultural income above a certain level must be subject to income tax like other incomes. This has already been done in Bihar and Bengal.

25. As a result of the measures indicated above, the lower incomes would record a steady improvement and consequently the income structure of the country would be more broad-based. For individual earners this improvement would arise from increased output as well as better prices. The cumulative effect of the measures proposed on the incomes of the different occupational classes is roughly indicated in the table given below. The table is based on the occupational pattern given in paragraph 15 and on the estimated income from agriculture, industry and services at the end of the plan. It is assumed that persons following agriculture as their principal occupation would also secure, through subsidiary occupations, 5 per cent of the income from industry and services.

	Average Income Per Occupied Person		
	1931 Rs	1962 Rs	Increase Per cent
Agriculture	114	220	93
Industry	161	368	129
Services	264	397	50

26. The suggestions made so far are calculated to increase the incomes of those who are at present below the subsistence level. The measures which we propose for reducing the cost of living fall into two categories:

- (i) provision of free social services, e.g., primary and middle school education, adult education and medical treatment; and
- (ii) provision of essential utility services, e.g., electricity and transport at low costs.

27. In our previous memorandum we have proposed a comprehensive scheme of education and medical relief. In order that every person, whatever his means, should be able to secure the benefits of education and medical relief, we have suggested that primary, middle schools and adult education and medical treatment, both in rural dispensaries and in hospitals, should be provided free of charge. This would mean a considerable relief in the cost of living.

28. At present essential utility services such as electricity, gas, transport, etc, are supplied on a comparatively limited scale and for the majority of people at a cost which they cannot afford. We have proposed a large increase in the supply of these services and it is an essential part of our plan that their cost to the consumer, both for domestic use and for cottage and rural industries, should be as low as possible and within the means of the bulk of the population. In order to achieve this object, we propose that these services should be subsidised by the State to such extent as may be necessary and that the margin of profit in such services should be subjected to control.

29. It is possible that in spite of these measures, due to unforeseen causes such as a failure of the monsoon or any other natural calamity, conditions of living for large sections of the population may suffer a serious setback. To meet such emergencies, we suggest the creation of a national relief fund on the lines of the present famine relief fund, but larger in resources and in scope, to be utilised as and when the need arises. A part of this fund should be held in the form of consumption goods which could be mobilised for instantaneous relief in times of emergency.

30. We are aware that our proposals do not constitute a complete scheme for providing security of income or freedom from want, which must be the ultimate objective of economic planning. There are several contingencies such as sickness, old age, technological unemployment, etc., which

are not specifically covered by these proposals. These contingencies cannot be met except by a comprehensive scheme of social insurance. Although the need for such a scheme is urgently felt in India, we do not think that it will be possible to introduce it until (i) a policy of full employment has had time to work itself out and some approximation is made to a position of stable employment for the greater part of the population, i.e., until the risks insurable are reduced to manageable proportions, and until (ii) the average individual income has risen sufficiently to meet the contributions necessary under a scheme of insurance. We, however, suggest that as in the case of fixing a minimum wage, a beginning in the direction of social insurance may be made by introducing sickness insurance and holidays with pay for workers in organised industries. The scope of the existing legislation in respect of maternity benefits should also be widened by making it applicable to all industrial establishment coming under the Factories' Act in the whole of India.

31. The policy we have outlined so far is mainly intended to secure the first objective of an equitable distribution of national income, viz., to assure to every person a minimum standard of living. To a considerable extent it will also help to reduce gross inequalities of income, which is the second objective. The most important method, however, of preventing gross inequalities is direct taxation, which in effect transfers income from the comparatively richer classes of society to the poorer. A steeply graduated income tax, which would keep personal incomes within limits, would obviously be the most important weapon for this purpose in the fiscal armoury of the country. But in any such scheme of taxation, consistently with the development programme envisaged in the plan, it is necessary to emphasise that adequate remission should be granted in respect of the depreciation of the assets employed in production and that incomes ploughed back for increasing industrial or agricultural production should also be granted similar remission. Further, in the taxation of personal incomes, distinction should be made between earned and unearned income, so as to make the latter taxable at a higher rate. As a means of correcting the existing inequalities of wealth, the device of death duties which has been successfully utilised in other countries, might also be adopted. The advisability of taxing inherited estates more severely at the second and later transfers than at the first would be a further step in the same direction. It is obvious that India's fiscal system will have to place more and more reliance on direct taxation in future if the increase in the cost of administration which planning will involve is to be met and if provision is to be made for free social services like education, medical treatment, etc. and subsidies for essential utility.

32. Throughout our investigations we have assumed that a programme of economic development of the kind we envisage should include the whole of India—the States as well as British India—in its scope. A territorially unbalanced economy will result in an imperfect utilisation of the country's resources and also prevent its purchasing power from developing *pari passu* with the estimated increase in production. Not merely in the matter of industrialisation but in almost every other line of development covered by our plan, the States, with certain notable exceptions, have tended to lag behind most parts of British India. We consider it a matter of the greatest importance for the future of India that economic progress should be so planned that, as far as circumstances permit, the targets as well as the pace fixed for the plan should have uniform application to British India and to the States. The objectives we have outlined are of equal importance to both and, further, the development of each is to a large extent conditioned by that of the other. It follows therefore that if a plan of economic development for India is to achieve its aim to any tangible extent, it should proceed on the principle that, in the results it seeks to achieve and consequently in the sacrifices it demands, British India and the States should share alike. Although the States represent two-fifths of the territory and one-fourth of the population of India, it must be recognised that industrial investment in the States, as also in backward areas in British India, remains disproportionately low. It is clear therefore that there is much lee-way to be made

up. Unless this disparity is remedied, a proper regional distribution of economic development will be difficult to secure. Meanwhile, any unequal distribution of financial burdens between manufacturing concerns in British India and the States will operate to prevent a healthy all-round industrial development, since natural advantages under such circumstances will be swamped by the adventitious benefits resulting from differences in local measures of taxation.

33. Taxation on the scale we have proposed will place a very heavy burden on the country and will be justified only if its utilisation for the purposes for which it is intended is fully guaranteed by a national government responsible to the people of the country. It is necessary to emphasise this fact because, as experience has often shown in the past, it is a dangerous thing to vest large powers of taxation in a foreign government bred in traditions of imperialistic exploitation. Both our plan of development and our proposals for meeting its cost imply the existence of a responsible national government as an essential condition. Unless this condition is satisfied, there can be no assurance that planning will be directed either along right lines or towards right ends, nor that the resources released for the purpose will be wisely and fruitfully expended.

The State and Economic Organisation

34. The nature and scope of the measures necessary to secure an equitable distribution of the national income depend to a large extent on the lines on which production is organised. This in its turn is influenced by the principles on which it is based. It is, therefore, necessary to indicate the type of economic organisation which, having regard to the circumstances of India, would be appropriate to the plan we have outlined. This is a subject on which it is possible to hold widely different opinions and which in the past has lent itself to acute controversy. In considering it, we should therefore, eschew preconceived notions and approach the question from a detached point of view. Since planning is primarily a matter of organising the human and material resources of a country, our aim should be to devise a system which would help to utilise them to the maximum advantage. The plan must fit in with the general outlook and traditions of our people and the cost of efficiency in terms of human suffering and loss of individual freedom must not be unduly heavy.

35. It is a rather widely held assumption that a planned economy can only function within the political framework of a totalitarian government. This assumption is the most impressive experiments in economic planning undertaken in recent years, namely Soviet Russia and Germany, the State has exerted over the activities of its citizens in every sphere of life a degree of authority which provides little scope for the exercise of individual freedom. It is inevitable that in executing a comprehensive plan of economic development, especially in a country where the beginnings of such development have yet to be laid, the State should exercise in the interests of the country a considerable measure of intervention and control. That this would be an indispensable feature of planning was recognised by us in our first memorandum. We have, for instance, indicated in that memorandum that no economic development of the kind proposed by us would be feasible except on the basis of a central directing authority and further that, in the initial stages of the plan, rigorous measures of State control would be required to prevent an inequitable distribution of the financial burdens involved in it. An enlargement of the positive as well as preventive functions of the State is essential to any large scale economic planning. This is inherent in the idea of planning and its implications must be fully admitted.

36. This, however, is not to concede that no society can undertake a comprehensive and integrated plan of economic development except of discarding the fundamental postulates of democratic government. There is no warrant in logic or history for such an assumption. If democracies can successfully plan and organise their resources for waging wars, it stands to reason that they can do so equally for fighting social evils such as poverty, disease and ignorance.

Democracy rests on the belief that the freedom of the individual to give full expression to his personality is one of the supreme values of life and among its basic needs; the State cannot demand a surrender of that freedom except for well defined ends and except with the assent of the community freely expressed through constitutional channels and with opportunities for the free functioning of parties holding divergent views. If a planned economy involves, as it necessarily must, the restriction of individual freedom in varying degrees, such restriction under a democratic government will be of limited duration and confined to specific purposes. Whereas in a totalitarian society the individual is merged in the State and belongs to it, having no rights except those which the State chooses to confer, in a democracy the State belongs to the people and is but a means of securing the fulfillment of the individual's rights and therefore any restriction which it imposes on his freedom must be justified by that test. We believe that planning is not inconsistent with a democratic organisation of society. On the contrary, we consider that its objects will be served more effectively if the controls inherent in it are voluntarily accepted by the community and only enforced with its consent.

37. In discussing different types of economic organisation from the point of view of planning, it is perhaps worth while pointing out that the distinction which is generally drawn between capitalism and socialism is somewhat overdone. The principle of *laissez faire*, which is regarded as the dominant note of capitalism, has during the last hundred years been so largely modified in the direction of State intervention in various spheres of economic activity that in many of its characteristic aspects capitalism has been transformed almost beyond recognition. Similarly, countries which in recent years set out to recognise their economic life on orthodox socialist lines have found it necessary in several important respects to accept capitalistic ideas in their effort to evolve a workable form of society. As a result of these developments, the distinction between capitalism and socialism has lost much of its significance from a practical standpoint. In many respects there is now a large ground common to both and the gulf between the two is being steadily narrowed further as each shows signs of modifying itself in the direction of the other. In our view, no economic organisation can function effectively or possess lasting qualities unless it accepts as its basis a judicious combination of the principles associated with each school of thought. These principles may be summed up as follows: first, that there should be sufficient scope for the play of individual initiative and enterprise; secondly, that the interests of the community should be safeguarded by the institution of adequate sanctions against the abuse of individual freedom; and thirdly, that the state should play a positive role in the direction of economic policy and the development of economic resources. It is from this angle that we approach the problem of determining the place of the State in a planned economy in India. We believe that capitalism, in so far as it affords scope for individual enterprise and the exercise of individual initiative, has a very important contribution to make to the economic development of India. We believe at the same time that unless the community is endowed with powers for restraining the activities of individuals seeking their own aggrandisement regardless of public welfare and for prompting the main objectives of economic progress, no plan of economic development will succeed in raising the general standard of living or promoting the common good. 'The problem of this century is to find the most fruitful method of combining planning—the right kind and degree of planning—with freedom. Competition and central direction may, indeed, be so applied that they spend all their energies merely in frustrating each other. But if ... they are sorted out and each applied by itself to the problems for which it is appropriate, there is no inherent reason to doubt that an economy based on both planning and free enterprise would be superior to either of the extremes.'

38. In dealing with the relation of the State to economic activity, it is necessary to make a distinction between the role which the State may generally be expected to play in future, when a planned economy has come into normal operation, and its part during the interim period when

the plan is in process of being carried out. As the role to be assigned to the State in normal times is of more fundamental importance, we deal with it first.

39. Co-ordination of general economic activity, management of currency and public finance, collection of statistical and other information, and adoption of legislation to safeguard the interests of economically weak classes are some of the more important functions which have now been universally recognised as legitimate duties of the State in the economic sphere. We have, however, to deal here with another and a more specific set of functions which are being advocated by important sections of enlightened opinion both in this country and outside. These functions centre round (i) ownership, (ii) control and (iii) management of economic enterprises. A widening of the economic functions of the State in these directions is advocated on the ground that unrestricted private enterprise, under the capitalistic system of production, has not served the interests of consumers and of the community generally as satisfactorily as it should have. We have, therefore, to determine the nature and scope of State activity in terms of these three factors in the economy which we visualise.

40. Of the three factors mentioned above, from the point of view of maximum welfare, State control appears to be more important than ownership or management. Mobilisation of all the available means of production and their direction towards socially desirable ends is essential for achieving the maximum amount of social welfare. Over a wide field it is not necessary for the State to secure ownership or management of economic activity for this purpose. Well directed and effective State control should be fully adequate. State Control of this character is, however, bound to put important limitations on the freedom of private enterprise as it is understood at present. Legal ownership would lose some of the essential attributes which are attached to it at present, especially in respect of the use and disposal of economic resources. Monopolies, for example, would not be allowed to limit their output with a view to increasing their profits by raising prices. Scarce natural resources would not be allowed to be exploited without consideration for the future requirements of the country. The rights attaching to private property would naturally be greatly circumscribed. In the light of these considerations, we indicate below in general germs the sectors of economic activity which should be owned, controlled and managed by the State.

41. State ownership is necessarily involved in all cases where the State finances an enterprise which is important to public welfare or security. State ownership will also arise where in the public interest it is necessary for the State to control an industry but the circumstances of the industry are such that control is ineffective unless it is based on State ownership. As regards the former class, industries falling within this category may be either entirely new industries or industries new to particular areas, and in both cases may require financial assistance from the State in the initial stages. If later on private finance is prepared to take over these industries, State ownership may be replaced by private ownership, but it is essential in the public interest that the State should retain effective controls over them. In the other group of industries in which State ownership exists because it is a necessary means of enforcing State control, ownership by the State will be a more or less permanent feature. In these cases where ordinary methods of State control have to be supplemented by State ownership, it will be necessary as a rule to place management also in the hands of the State. The manufacture of materials exclusively required for war purposes and the organisation of vital communications such as posts and telegraphs are illustrations of this class of industries.

42. Enterprises owned wholly or partially by the State, public utilities, basic industries, monopolies, industries using or producing scarce natural resources and industries receiving State aid should normally be subject to State control. The nature of the control to be exercised will vary from industry to industry and from unit to unit in the same industry according to the specific

requirements of each case. The institution of adequate controls which would achieve the object in view, without unduly hampering the initiative of the management, and the proper enforcement of such controls will present difficult problems. The following are illustrations of the form which control may assume: fixation of prices, limitation of dividends, prescription of conditions of work and wages for labour, nomination of government directors on the board of management, licensing and 'efficiency auditing'—a development of cost accounting which will be the watchdog of public interest rather than of financial interests in the limited sense.

43. Where an enterprise is owned by the State, there is a *prima facie* case for its management by the State. But it does not invariably follow that all enterprises owned by the State should also be managed by it. There are three alternative methods of management open in such cases: by the State, by private enterprise and by ad-hoc public corporations. To some extent the deciding factor which determines which of these alternative methods should be adopted in any particular case is how far the necessary personnel will be forthcoming under each method. But since State ownership generally arises because the industries concerned are of public importance, considerations of efficient management alone cannot be allowed to settle the question. It is necessary to take into account also the wider and more fundamental question of the extent to which public welfare and security will be safeguard and promoted under each system. It is not possible to lay down a general rule as regards this aspect of the question and each case must be decided on its merits. In the ultimate decision, the governing issue will be whether State control is not sufficient to safeguard the public interest but in addition to it State management should also be provided.

44. We have set out some of the leading considerations by which the question whether an industry should be left to private enterprise or should be owned and managed by the State is to be determined. The application of these considerations in particular case is bound to present difficulties and there will necessarily be a wide field in which decision will involve a nice balancing of various factors. It will probably be found in these cases that the arrangement which will best meet the situation is a compromise between the two principles so that while some units of the industry are owned and managed by the State, others are left to private enterprise. Where considerations of efficiency on the one hand or public welfare on the other would not permit of a clear cut decision, it is in the direction of a compromise on these lines between State and private enterprise that a practical solution may be sought. Public utilities of a monopolistic character and industries for the products of which the government are the principal customer would among others be the main industries which would fall within this category. Experience of working the same industry partly by State and partly by private enterprise will incidentally afford valuable guidance in shaping public policy in the matter. Moreover, the simultaneous operation of both systems in the same industry will provide a useful incentive and corrective to each system, resulting in all probability in a maximum contribution to the well being of the community by the industry as a whole. 'There is no need to socialise at once all forms of production; it may prove desirable to socialise some time: nor is there any reason why a form of production, socialised at first, should not be handed back, under proper safeguards, to private enterprise if socialisation does not yield good results. Within a single branch of production there may be some parts which it is desirable to socialise, and others which are best left under private ownership and control. The less rigidly the line is drawn, the more room will there be both for diverse experiment and for suiting different types of men and women with jobs in which they have a decent chance of being happy.'

45. The general propositions regarding State activity in the economic sphere which we have enunciated above will hold good even during the planning period. But during this period, in addition to the controls embodied in these propositions, the State will have to adopt a number of other controls of a temporary character. Without them a planned economic development will be

hardly possible. To a large extent the controls to be instituted during the planning period will be similar to those which are in force at present under war conditions and to which the country has become more or less accustomed; but they will be better coordinated and more systematically administrated.

46. These controls will operate mainly in the following spheres:

- (i) production,
- (ii) distribution,
- (iii) consumption,
- (iv) investment,
- (v) foreign trade & exchange, and
- (vi) wages and working conditions.

Control of production will aim at a proper allocation of resources so as to secure better regional distribution of economic enterprises and to reach the targets set for the different branches of industry. The control will operate chiefly through a system of licences for establishing new units and for extending existing ones. Distribution will be controlled primarily with the object of determining priorities for the release of raw materials, semi-finished materials and capital goods. In the early stages of planning, control will also include rationing and distribution of consumers' goods. The objectives to be kept in view in controlling consumption will be to enforce fair selling prices for essential goods and for goods manufactured by industries receiving State assistance and also to prevent inflation. As regards investment, control will imply that new capital issues should be approved by the State so as to secure a proper distribution of available resources, to prevent inflation, to provide for the orderly development of new enterprises and generally to maintain and promote the interests of Indian nationals. Trade and exchange will be subjected to control to such extent as may be required for conserving foreign exchange and for protecting Indian industries. The control of wages and working conditions will aim at ensuring not merely fair conditions for labour, but also efficiency of management, particularly in public utility concerns and protected industries.

47. The wide power of direction and control, with which the State would be invested for the successful execution of the plan, would be exercised through a national government responsible to the people. 'The strength of State Authority, not in the physical sense, but in the moral sense of a genuine submission on the part of the great majority of the population, is an important factor in the success of planning.' To achieve this moral strength and to ensure harmonious and uninterrupted working during the planning period, the personnel of government should be adequately representative of every considerable body of political thought and sentiment in the country. It is also necessary that while sufficient powers of coordination are vested in the central government, the administration of economic policy should be delegated to provincial and local governments on a basis of wide decentralisation. The various controls, both permanent and temporary, which have been indicated will not be effective unless the State has at its disposal a specialised agency possessing the necessary knowledge and experience for handling economic matters. For this purpose a new service—an economic civil service—should be established in the country composed of persons with the special education, training and experience appropriate to the economic functions of the State.

48. The general shape of the economic organisation which will emerge if our proposals are carried out is not unlike the type of society which Professor Pigou foreshadows in his book, *Socialism versus Capitalism*. We quote the following passage from it which, *mutatis mutandis*, is applicable to the society we have in view and the writer's power to direct his country's destiny, he would accept,

for the time being, the general structure of capitalism; but he would modify it gradually. He would use the weapon of graduated death duties and graduated income tax, not merely as instruments of revenue, but with the deliberate purpose of diminishing the glaring inequalities of fortune and opportunity which deface our present civilisation. He would take a leaf from the book of Soviet Russia and remember that the most important investment of all is investment in the health, intelligence and character of the people. To advocate 'economy' in this field would, under his government, be a criminal offence. All industries affected with a public interest, or capable of wielding monopoly power, he would subject at least to public supervision and control. Some of them, certainly the manufacture of armaments, probably the coal industry, possibly the railways, he would nationalise, not, of course, on the pattern of the Post Office, but through public boards or commissions. The Bank of England he would make in name—what it is already in effect—a public institution; with instructions to use its power to mitigate, so far as may be, violent fluctuations in industry and employment. If all went well, further steps towards nationalisation of important industries would be taken by degrees. In controlling and developing these nationalised industries, the central government would inevitably need to 'plan' an appropriate allocation for a large part of the country's annual investment in new capital. When these things have been accomplished, the writer would consider his period of office at an end, and would surrender the reins of government. In his political testament he would recommend his successor also to follow the path of gradualness—to mould and transform, not violently to uproot; but he would add, in large capitals, a final sentence, that gradualness implies action, and is not a police name for standing still.

¹ Stakhanovism: a movement or programme to encourage hardwork and maximize productivity; originated in the name of Aleksii Grigorevich Stakhanov (1906–1977), a Russian coal miner whose exceptional output was publicized as a part of a campaign in 1935.

2. A Brave Attempt

Editorial, *Hindustan Times*, 17 January 1945.

When the famous Bombay Plan was published in the beginning of last year,¹ it stated at the outset that 'neither the problem of distribution which is vital to any scheme for raising the standard of living, nor the allied question of control to be exercised by the State over economic activities are discussed in it.' It was also stated that these important matters were under examination and the results would be published at an early date. In spite of these explicit statements, some carping critics laid emphasis on the absence of these aspects in the Plan and tried to suggest that the authors were evading them because of their inability to subordinate their class interest to the fundamental principle of national well-being, so apparent in the framing of the targets. But the general public who were inspired by the bold conception of the Plan had faith in the authors. And though they have had to wait for a whole year, the publication of the second part of the Plan dealing with these two aspects has fully vindicated their faith. The second part is even more convincing and coherent than the first. No attempt has been made to bypass fundamental issues. The authors start with the proposition that 'the existing economic organisation based on private enterprise and ownership has failed to bring about the satisfactory distribution of the national income.' At the same time they are not prepared to go to the other extreme, namely complete nationalisation or socialisation of production and distribution. They are convinced that a via vadia which preserves private enterprise to a large extent under strict public control is possible and desirable. To those who reject this premise, the conclusions of this part may appear inadequate and unsatisfactory. But to all those who believe that a peaceful and democratic solution of the

country's economic problems cannot be achieved by an attempt to overthrow the entire foundations of the present economic system it will be evident that the authors have suggested the most practicable lines consistent with 'a plan for change which is also a plan for stability and orderly development'. The two basic principles of distribution laid down in the report are: '(1) to secure to everybody a minimum income essential for a reasonable standard of living; and (2) to prevent gross inequalities in incomes of different classes and individuals.' Though the former is far more important than the latter, it is likely that public attention will be concentrated on the proposals to limit inequalities as a test of the sincerity of the authors. It is stated in the memorandum that 'the most important method of preventing gross inequalities is direct taxation which in effect transfers income from the comparatively richer classes of society to the poorer. A steeply graduated income-tax which would keep personal incomes within limits would obviously be the most important for this purpose in the fiscal armory of the country.' To correct the existing inequalities it is proposed that unearned incomes should be taxed at a higher rate than earned incomes and that death duties and inheritance taxes should be levied.

Having thus disposed of the question of putting an upper limit to inequalities, the report deals at length with the far more difficult question of raising the lower limit of income. The position of the agriculturists and among them of the landless labourers is rightly considered the crucial question in the problem of distribution. Minimum wages are suggested for agricultural labourers as well as workers in organised industry and the suggestion thrown out that machinery for this purpose should be devised for each industry and agricultural region is vital. Large fluctuations in the prices of agricultural products have been among the potent causes of the stagnation and economic depression facing the cultivating classes. The report suggests that fair prices for staple commodities should be fixed and measures taken to maintain them by the Government building up adequate commodity reserves, adjusting tariff on imports, promoting co-operation on the widest possible scale and by adopting other measures such as 'development of communications, standardisation of weights and measures, regulation of organised markets and spread of commercial intelligence'. Another radical step recommended for raising the level of the cultivators is the complete abolition of zamindari and mahalwari tenures which hold 64 per cent of the cultivated land of the country in their parasitic grip. It is possible to argue that a mere conversion of all land into a ryotwari system is not enough and that the State must go further and make the drastic distinction between those who actually cultivate the soil and others who merely lease it out for rent in kind or cash. The report does not forget this aspect and says: 'It would also be necessary to check the transfer of land from cultivating to non-cultivating classes and to control rents with a view to reducing the attractiveness of land to speculative investors.' Drastic reform of the principles of land revenue so as to bring it within the ordinary canons of taxation according to capacity is also suggested. These measures taken in conjunction with (1) the provision of free social service like primary and middle school education, adult education and medical treatment and (2) the provision of essential utility services like electricity, transport etc. at low costs will bring about the raising of the general level and assure the rural masses an increase in the standard of life not far short of the target aimed at in the first report. The annual average income of an agricultural worker, which was estimated at Rs 140 per annum in 1931, is expected on the same basis of prices to be raised to Rs 220 in 1962 while that of the industrial worker is to rise from Rs 161 to Rs 368 and that of those rendering the services from Rs 264 to Rs 397.

The report is rather hesitant about advocating a complete scheme of social security—including relief for sickness, old age and unemployment, although it has recommended these measures for organised industry. It cannot be denied that before these measures are fully developed a large increase of national and individual income is indispensable. Yet it may be remarked that social

security measures do not constitute a burden on society as a whole because they only mean redistribution of national income. It may be said that it will be a great advantage to start with a comprehensive scheme of social security which may confer only nominal benefits to start with, but which will increase *pari passu* with the increase in production and income. Mention must also be made of the emphasis laid in the report on decentralisation of industry and encouragement of small industries as in Japan and China.

So far as the relation of the State to the country's economic organisation is concerned, the report stresses the need for a compromise between unlimited private enterprise and complete socialisation. It comes to the conclusion that neither State enterprise nor private enterprise, but State control in the interest of national welfare, should be the central principle. The report also lays down the principles on which some industries should be owned and managed by the State and others in which both State and private enterprise may work in partnership and, lastly, those that may be left to private enterprise. In the case of the last two categories, the report declares unequivocally the need for controls like fixation of price, limitation of work and wages of labour, nomination of Government directors on the board of management, licensing and 'efficiency auditing'. It also makes a distinction between the controls which would be the permanent features of the new schemes of controlled economy and others which may be needed in addition during the transition period. For instance, in the early stages of planning, special control will be necessary to secure better regional distribution and economic enterprise, and it may also extend to the rationing and distribution of consumer goods.

The authors take care to point out that this part, like the previous one is only a broad outline of the principles and measures needed and not a complete and detailed blue-print. Viewed from this standpoint no fair minded Indian can help feeling that the signatories have done their work with exemplary public spirit and have produced a general plan which promises to take the Indian people out of the mire of poverty and wretchedness without the dangers involved in a violent uprooting of the existing foundations. But such a bloodless revolution can only be brought about if, as the authors of the report have rightly emphasised, the indispensable step is taken of installing of National Government in the Centre and the Provinces for the proper formulation and execution of a Plan on the lines indicated in the two reports. We agree with the view of the authors that 'as experience has shown in the past it is a dangerous thing to vest large powers of taxation in a foreign Government bred in traditions of imperialistic exploitation.'

¹ Published in January 1944. See *Towards Freedom 1943-44*, New Delhi, 1997.

3. Bombay Plan Instalment II

Editorial, *Bombay Chronicle*, 18 January 1945.

There are several features in the second instalment of the 'Bombay Plan', prepared by half a dozen Indian industrialists in the country, which considering the authorship, mark a definite advance in the liberal economic thought in the country. In view of the resources at their command the authors have been unduly long in bringing out this supplement, more important than the original plan of national industrialisation and development. Even as it is, all that they have to say is contained in a 32 page brochure, full more of vague generalisations and high-sounding platitudes, than definite suggestions for concrete working of the plan. But take it all in all, the programme outlined in this pamphlet is clearly more advanced, reasonable and equitable than their first production appeared to be. It is impossible, however, to do justice to the volume and all the details it contains

in the short space of such a review. We can comment upon only a few of the most outstanding features, characteristic of the outlook and motives of authors and see how they would react upon the general welfare and advancement of the community, which is held out as the main aim of this work. It is altogether commendable that these planners have taken India as an integral unit, for the whole of which—both British and Indian—their plan is conceived and elaborated. The tendency, therefore, in some quarters to partition the country is, by implication at least, shown up as harmful and reactionary. It is on a par with the policy of the present Government of India to look up on the Indian States as something altogether apart, to which no single national plan need automatically apply. Whatever the juridical differences or constitutional conflicts, the Indian States are integral with the rest of India and anything which tends, in however slight a degree, to keep out of any plan of national reconstruction must be condemned as short-sighted and injurious. The same reasoning must also disapprove the political demand for partition, since the several regions or provinces of India are mutually so interdependent that, economically speaking, they cannot be sundered apart from one another as distinct political units, without great harm resulting to other side. The planners have wisely confined their remarks on this aspect of their plan, to the case of Indian States, but the logic which inspires the one applies no less to the other.

The main portion of this instalment, however consists of suggestions, for a better, more equitable, if not more equal, distribution of national wealth. The authors hold that the fruits of enterprise and labour should be fairly apportioned among all contributors, and not unjustly withheld by a few from the many. To this end they propose to redress the inequalities of wealth and property, mainly through the instrumentality of direct taxes on surplus income or capital at progressive rates, differentiating between earned and unearned income of every individual. Taxation, however, is a clumsy weapon to effect equitable redistribution of the national wealth; if it functions it does so indirectly, not always being able to guarantee that the real objectives would be reached. The taxes suggested by the pamphlet include death duties and reform of the land revenue, the proceeds of which are to be devoted to the widening of the social services and provision of public utilities, which, no doubt, will go a long way to make the lot of the masses much more tolerable than it is today. The intention, however, of the authors of this suggestion 'to assure to every person, a minimum income essential for a reasonable standard of living' is, at first sight, unlikely to be achieved by the method of taxing surplus income even to the point of total confiscation. For raising the general level of income, the planners suggest 'full employment for the entire population of working age' with progressive improvement in the rates of urban as well as rural wages, better amenities and an all-round system of social security, i.e., insurance against sickness and unemployment, holidays with pay and the like. Nothing they urge should be allowed to stand in the way of this object being achieved. If, however, one takes together both parts of their plan so far published one would find some difficulty in discovering specific room provided in their plan for all the adult inhabitants of India to be fully employed with adequate remuneration, subject to a pre-determined and irreducible minimum wage. Still more vague or unconvincing is their suggestion to reduce the cost of living which they hold operates in the same direction as an aggregate improvement in the actual standard of living.

There are suggestions, again, for a process of decentralisation in industry, distributing the several industries regionally in accordance with a Master Plan, to be promoted by the development of cottage and small-scale industry and wider distribution of share-holding in joint-stock companies carrying on industrial enterprises. All this may read excellent on paper, but when sought to be implemented in practice may prove unexpectedly difficult not to say impossible. For any attempt, however, to realise any part of the objective, there must be premised an all-round control of the state in every department of the country's planned economy. They recognise that a considerable

enlargement of the functions of the state, both positive and preventive, is essential to any large-scale planning. At the same time they seem to be such confirmed believers in the utility and necessity of private enterprise that in all that they say about the need for public control they leave out the question of initiative altogether. It is only the private entrepreneur, who in their view, can most advantageously as well as profitably initiate enterprise and work it through the experimental stage. This last is indeed not explicitly stated in their pamphlet, but its implication appears inevitable from a general survey of the remark. The suggestion of a multipurpose cooperative halts rather vaguely and unnecessarily at agricultural production, though it must be added, in mere fairness, that the authors believe in the possibilities of cooperative enterprise even in industry. Unless however the multipurpose cooperative is made universal and compulsory, as was suggested by one of the Sub-committees of the Planning Sub-committee, there is no hope of the competitive organisation of the social structure being fully replaced by the co-operative.

4. Main Objectives of 'A Plan of Economic Development For India: II'

Press interview by the authors of the Plan, Bombay 17 January 1945 on the occasion of the publication of the second part of the Bombay Plan.

Bombay Chronicle, 18 January 1945.

Giving a clear exposition of the Objectives of 'A Plan of Economic Development for India' at a press conference at Bombay on the occasion of the publication of the second part of the Plan, Mr J.R.D. Tata said that the plan was aimed at increasing the national wealth and raising the standard of living, not of one class against another but of all classes. The plan also sought to reduce the inequalities of wealth and property and provide a minimum standard of living.

Dr John Mathai stated that the plan contemplated a National Government not as a matter of sentiment but because a Government without a considerable popular support could not venture to put the plan in force.

Sir Purshotamdas Thakurdas, who presided at the conference, took an optimistic view of a reasonable settlement of the question of sterling balance.

Mr H.D. Shroff, one of the authors of the plan, was present. Opening the Press Conference Mr J.R.D. Tata said that it was exactly a year ago on 17 January 1944 that the first part of 'A plan of Economic Development for India' had been published. Having regard to the criticism that has been levelled against it he wanted to say a few words. A certain amount of criticism was aimed not so much at the plan itself but its authorship. It had been damned by some on the assumption that any proposals coming from a propertied class were a suspect. He wanted that the proposals should be judged objectively and without prejudice.

The second group of criticism had been made from an extreme point of view. It was stated that the plan dealt exclusively with production. It naturally did because to deal with distribution before production would be to put the cart before the horse. The objects of the proposals, he made it clear, was to raise the standard of living, not of one class as against another but of all classes and inevitably that of the poorest classes. He characterised as 'non sense' the criticism that the plan was intended to make the rich richer and the poor poorer.

After explaining at some length the nature of the proposals contained in the second part of the plan Mr Tata said that they had proposed every conceivable measure to see that the increased production of the country went to increase the standard of living of the masses which would mean cutting into the wealth of the few who were better placed in life.

While the proposals were clearly not meant to perpetuate the present state of affairs they had steered clear of extremes. They had proposed a sort of a compromise between two extremes and a certain amount of regimentation and a certain amount of free initiative. The proposals were calculated to help the country to go straight into a plan of economic development which would produce the most effective results.

In conclusion Mr Tata referred to the criticism of a few people who alleged that when planners referred to a National government they meant a Government in the pocket of industrialists, a thinly disguised form of Fascism. He repudiated this suggestion and pointed out that they had stressed individual liberty and the free expression of individual personality.

Answering questions Dr John Mathai scouted the criticism that the plan subordinated agriculture to industry. He claimed that industrial development was probably the only means of development of agriculture first because industrial development would lead to a reduction in the pressure of population of land, and secondly, it would provide an increased outlet for raw materials produced by the agriculturists. Thirdly it would make available to the agriculturists consumer goods in a larger measure and at a cheaper cost, and fourthly it would provide the organisation and discipline necessary for political progress.

Answering a cognate question at another stage of the Press Conference, Dr Mathai said that other proposals like those of the National Planning Committee, contemplated a large development of cottage and small scale industries, but he could not say if the degree of development contemplated by the authors of the Bombay Plan was the same as that of the National Planning Committee.

One important question which was raised and discussed at considerable length at the conference was that of the disparity of wages between industrial and agricultural incomes. Dr Mathai in the course of his answers pointed out that the disparity contemplated under the plan was much less than at present, that the unequal money wage was illusory and that the disparity was not so great in terms of real wages and that because of the possibility of mechanisation such disparity was inherent in that class of occupation.

To various questions regarding of the plan to a National Government Dr John Mathai said that for the execution of the plan a degree of popular support was necessary which the present Government could not command. They stressed responsible Government for practical reasons; there was no sentiment in it.

Asked how the planners to bring about a National Government Sir Purshotamdas Thakurdas counter queried, 'How can economic planning bring about a National Government?'. They had each of them his own opinion on political questions. But they were completely unanimous on one thing, namely that it was only with a responsible Government at the centre that a plan like this could be worked. Any National Government which wanted to do constructive work was bound to adopt some kind of a plan.

Therefore they had put forward these proposals with no mental reservations, but purely as citizens.

Answering a question which has been raised about the possibility about India's sterling balances now held by Britain not being available to finance their plan as contemplated by them Sri Purshotamdas Thakurdas said that Sir Jeremy Raisman and the Government of India were very keen on a fair settlement of this question. He was of the view that Great Britain could not afford to deprive India of her sterling balances and therefore he did not like to take a very pessimistic view.



5. 'More About Bombay Plan'

Editorial, *Amrita Bazar Patrika*, 19 January 1945.

As we wrote yesterday, the second part of the Bombay Plan shows that its authors have reacted vividly to the historical forces which were released during the inter-war period of economic crises, trade cycles and currency cataclysms, and which have been accentuated and sharpened by the present war. It is a good beginning and we congratulate Sir Purshottamdas Thakurdas and his colleagues on the enterprise and initiative they have brought to bear upon the examination of a problem which is as vast as it is complicated. They further followed the trends of popular opinion by insisting that the wide powers of direction and control, which they propose to place at the disposal of the State, must be exercised through a National Government responsible to the people. As a matter of fact, the entire background of economic planning envisaged by these industrialists is a reconstructed Central Government which must command the confidence of the people and as such would be in a position to evoke wide emotional response commensurate with the country's requirements in a boldly conceived scheme of social planning. There are, however, certain points in connection with the specific measures that have been roughly outlined and the actual role of the State set against the individual which call for elucidation. We raise these points not in a spirit of carping criticism but in our earnest desire that no confusion should exist as to the pattern of society upon which the authors of the plan have set their heart.

We have already referred to certain agricultural reforms which have been proposed in the Plan. But they are not exhaustive. They do not reach down to the fundamentals of the problem of agricultural economy upon which the country mainly depends for its livelihood and which, curiously enough, has been allowed to be paralysed both by the State and the people. No mention is made in the Plan of the appalling burden of rural debt and the steady fragmentation of holdings almost throughout the country. In countries like Russia where the agricultural industry has been tackled so successfully and upon such a gigantic scale the question was not merely one of eliminating the parasitical intermediaries but also of liquidating rural debts and ensuring scientific development by consolidation of holdings either by collectivisation or some sort of a co-operative machinery. Irrigation schemes are necessary, and so are the inalienability of agricultural lands, control of rents, proper marketing facilities and increase in the holding capacity of the agricultural population. But these do not go far enough. The problem seems to us more basic and fundamental than the authors of the Bombay Plan would evidently admit. How do they propose to deal with the accumulating agricultural debts? Do they think that the measures taken during the last few years in different provinces are adequate? How do they propose to effect consolidation of holdings so that large scale farming may be possible?

As regards industries also Sir Purshottamdas Thakurdas and his colleagues appear to have left much room for speculation. Of course they have indicated how the enterprises should be owned and controlled and managed. They have given a rough sketch of the categories of industries with reference to ownership, control and management. Some of the observations they have made are, however, vague; there are others which many may not be disposed to accept. For instance, they suggest that entire new industries or industries new to particular areas or both, which may require financial assistance from the State in the initial stages, should be owned by the State. Later on, however, if private finance is prepared to take them over, State-ownership may be replaced by private-ownership. We see that the authors of the Plan rely upon the advocacy of Professor Pigou in this view. If, as is pointed out by orthodox economists and industrialists, the justification of the Capitalistic system is its enterprise, initiative and resourcefulness, the industries of the type referred to above should in the initial stages be operated by private entrepreneurs and when they will have

blossomed into maturity of technique and organisation they should be handed over to the State. Sir Purshottamdas Thakurdas and his colleagues quite rightly assume that the nature of State supervision and control they have under contemplation will place a huge burden of expenditure on the public exchequer. Certain items of expenditure will be absorbed in the grant of bounties or subsidies to specified industries; others will be used for social services such as free education and medical treatment. Where will the revenues come from? To that the author's answer is taxation. Apart from some taxes which they mention, e.g. death duties, agriculture income-tax etc., they do not appear to indicate to what extent and upon what scale and basis the toiling men and women in factory and field should be taxed. This point is all the more important in view of the fact that they contemplate the grant of protection of development by means of tariffs. Obviously, such a scheme would increase the burden of the consumer and there is nothing in the Plan to show how he will be compensated in respect of this compulsory sacrifice.

We wish Sir Purshottamdas Thakurdas and his friends had refrained from making a dialectical attempt to reconcile capitalism with socialism and repeating the old traditional imperialist chatter about the 'democracies'. We believe that it is not possible to reconstruct political organisations or establish social norms without the conditions prevalent in a country at a given moment. Viewed in this light the conditions in India to-day do not permit of the setting up of a full-fledged Socialist State upon the Soviet model. There must be no romancing about Socialism. But to say that in practice, as distinguished from theory, there is at present no difference between socialism and capitalism is to misinterpret history and misconceive the trend of events. One has only to compare Soviet Russia and the moral and material achievements which stand to its credit as a result of about twenty years' experiment and the British capitalist democracy and the democratic plutocracy of the United States and the misery, privation and frustration which the peoples of these countries have suffered to realise that there is a world of difference between the two. Apparently the authors of the Bombay Plan have persuaded themselves that England and America are democracies. They are indeed democracies in form; in content, however, they are acquisitive in the sense in which the authors have used the expression in a different context. The British and American systems advertise their democratic principles. They speak of equal suffrage for all citizens but in the same breath limit it by residential, educational and even property qualifications. In some cases, as in America, the reservations and limitations are based on race. Nobody has put the position better and more tellingly than Marshal Stalin. 'They speak of the equality of citizens', says the Soviet Premier, 'but forget that there cannot be real equality between master and worker, between landlord and peasant, if the former possess wealth and political weight in society while the latter are deprived of both, if the former are exploiters while the latter are exploited. Or again: they speak of freedom of speech, assembly and the press, but forget that all these liberties may be merely a hollow sound for the working class if the latter cannot have access to suitable premises for meetings, good print-shops, a sufficient quantity of printing paper etc.'

Equally wrong is the authors' thesis that there is nothing to choose between Soviet Russia and Fascist Germany in respect of the pattern of society which each has sought to evolve during these years. We suspect that they have ignored the difference between revolution and counter-revolution, particularly the changes incorporated in the Russian Constitution in 1936 which, in effect, have registered and consolidated in legislative enactments what has already been achieved and won in actual fact. The Soviet Union does not simply proclaim democratic liberties but ensures them by providing definite material resources. It does not simply proclaim equality of rights for citizens but ensures it by the legislative consolidation of the fact that the regime of exploitation has been abolished. It does not simply proclaim the right to work but ensures it by the statutory recognition of the fact that trade cycles and crises no longer exist, that unemployment and starvation are

things of the past. It is not the ordinary formal democracy. It is curious that eminent men in our country, who for very good reasons consider it dangerous, as the authors of the Bombay Plan themselves put it, to vest large powers of taxation in a foreign Government, bred in traditions of imperialistic exploitation, should allow themselves, to be deceived by the platitudinous thunder of such a Government and their City patrons, industrial collaborators and intellectual stooges.

6. 'Planning Distribution'

Editorial, *Hindu*, 21 January 1945.

In issuing the second part of their plan for the economic development of India, the authors of what has now come to be familiarly known as the Bombay Plan have tried to make good what they had admitted were omissions in their first report. That report outlined a programme for the trebling of national production within fifteen years involving an estimated expenditure of Rs 10,000 crores. The primary aim was to raise the average standard of living—which is admittedly appallingly low—to a level at which every one would be assured a minimum sufficiency of the essentials of life such as food, clothing, housing and have a slight margin left over it. As obviously the low average income is due to the low level of production in the country, the first requisite for any improvement in the standard of living is an expansion of production. The 10,000-crore plan indicated in what directions and by what means this expansion was to be achieved. It was recognised, however, that the trebling of the national income was no automatic guarantee that every individual would get the minimum which the planners aimed at and which it should be object of State policy to see realised. The second part of the plan now issued seeks to outline the broad features of such a policy.

The report seems to us to lack the boldness and precision of the first plan. While declaring their professed aim that a minimum standard of living should be ensured for everyone under the plan, the planners do not see that this logically involves a basic national minimum wage—something similar to the national minimum recommended by Sir William Beveridge for Britain. The utmost they go in this direction is in making halting suggestions for reducing the cost of living by the provision of free social services such as education up to the secondary stage and medical treatment and the provision at low costs of essential utility services such as electricity and transport. 'We are aware,' they observe, 'that our proposals do not constitute a complete scheme for providing security of income or freedom from want, *which must be the ultimate objective of economic planning*.' We should think that the ensuring of freedom from want, far from being the ultimate objective of planning, should be the first and primary objective. The same timidity has prevented them from recommending recognition by the State of every able-bodied citizen's right to work, although they admit that a full employment policy is essential for increasing the general level of income. If the problem of raising the national standard of living is essentially one of raising the national production, then the State cannot permit the existence of idle man-power of unused resources. The problem of utilising them gainfully is primarily one of organisation. It cannot be contended, in a country situated as India is, that the avenues of expansion are limited. It is true that the resources that can be commanded at any particular moment are more or less defined and an important problem for the planner is how best to allot them among different uses to promote the best interests of the community. But this apart, there is no excuse for allowing any one willing and capable of work to remain unemployed and thus be a burden on others who work.

A full employment policy and a rising standard of living must, in fact, become the twin aims of economic planning. And, if planning proceeds on scientific lines, production and distribution ought not to present two different problems to be dealt with at two different stages. If the aim, for

instance, is to double the per capita consumption of milk in the country—which Dr Wright has urged is the minimum necessary for health—the planning authority's task is to ensure, on the one hand, that the requisite amount of milk is produced, and on the other, that it is made available at a price at which the desired amount of consumption is secured. Thus production and distribution are intimately linked with the question of wages and prices and prices. In fact, one of the most important tasks in a planned economy will be the correlation of wages and prices to the policy of maximising production at one end and consumption at the other. The Bombay planners recognise this in a way when they emphasise the need for securing fair prices for the agriculturist. It is a notorious fact that when it comes to selling his produce the ryot seldom gets a square deal. The Bombay planner suggest that the Government should adopt a policy of fixing fair prices for the principal agricultural crops. This must be done, as much in the interests of industry as of the agriculturalists themselves, because, as Sir Ardeshir Dalal observed in a speech at Nagpur, the agriculturist provides the market for manufactured goods. It has all along been the case that in the terms of exchange between manufactured goods and the products of the farm, the latter have had the worst of it. In boom periods, agricultural prices lag behind prices of manufactured goods and in slumps they fall faster and lower than industrial prices. Fair stability of agricultural prices and an equitable relation between agricultural and industrial prices are necessary not only as an act of elementary justice to the primary producers of the country, but in the interests of economic equilibrium. This involves not merely the fixing of agricultural prices on the basis of cost of production and cost of living, as suggested in the Bombay report. It involves also the fixing of industrial prices at levels which would pass on the benefit of technological improvements to the consumer.

This, of course, does not mean that there is no case for land reform. If in the interest of introducing improved agricultural technique and expanding production it is necessary to reform agrarian relationships, the change must be undertaken, without, however, causing undue hardship to those who have acquired rights which are sought to be taken away. Land in India represents a whole congeries of relationships which are the product of a long historical process. The authors of the report apparently labour under the disadvantage of lack of intimate acquaintance with condition in agriculture. There is no such wide disparity in terms of real wages between industry and agriculture as is generally assumed; nor does the mill hand in Bombay, for instance, enjoy a standard of living which, in terms of human satisfaction, is very much superior to that of the brother whom he has left behind in the village to labour on the ancestral plot of ground or on a neighbour's land. The weakness of agriculture lies in insufficiency of production. Its great handicap is the load of unproductive debt. If labour is poorly paid, the small owner fares hardly better. In agriculture it is not inequality of distribution among the various interests that is so marked a feature as the distressing fact that there is not enough to go round among those who live by the land. For this reason the various ameliorative measures suggested in the report, such as the reform of land revenue on an equitable basis, require urgent attention.

On the question of the role of the State, the Bombay planners have struck a middle path. They are for private enterprise and initiative, but at the same time they insist that the State in contemporary society must play a positive role in promoting the interests of the community in a planned economy. And they rightly emphasise that in India only a National Government responsible to the people and commanding their confidence can be expected to attempt this task comprehensively and courageously. Recognising that the existence of gross disparities in wealth and income tend 'to retard the development of a country's economic resources' and prevent the realisation of a rise in the standard of living of the masses, they suggest that it is necessary to adjust the rewards of the various factors of production so as to further the reduction of gross inequalities. In the same

breath, however, they state: 'As a general rule, these rewards, viz., wages interest and profits, should continue to be determined on the basis of demand and efficiency as at present, subject to the overriding consideration that wages should not fall below a certain minimum and that interest rates should be controlled with a view to maintaining full employment.' It is difficult to agree that all the existing inequalities in income are the result of differences in rewards on the basis of demand and efficiency. If the rewards for the different factors of production—the worker, entrepreneur and investor—were really based on the contribution of each to the product, the inequalities in income ought to be much less pronounced than they are. The principle that must be recognised, whether in industry or in agriculture, is that the reward of each factor of production should be commensurate with its contribution to the final product. Difficult as it may be to apply this principle in practice, any approximation to it would result in a more equitable distribution of income than under the present system. If a fair distribution of income were achieved in the process of production itself, the occasion for State intervention to mitigate inequalities would be confined to narrower limits. The authors of the Report justly maintain that planning is perfectly compatible with democracy. We would only add that it must be democracy not merely in the political but also in the economic sense. Functional democracy may indeed prove to be the only way out of the present muddle.

7. Ardeshir Dalal¹ on Post-War Reconstruction, Madras, 25 January 1945

Hindu, 26 January 1945.

A question elicited from the Planning Member the reply that the Government of India approved of the objectives underlying the Bombay Plan. It must be remembered, he said, that the Bombay Plan had not gone into details of what to do and how to do things. It was for the Government of India to formulate a detailed plan and they were now engaged in that work.

Asked as to whether the Government of India had approved of the people's Plan Sir Ardeshir said that the Government of India were certainly aware of that Plan and he did not think that it completely met with their approval. The common objective of all Planning was to raise the standard of living of people and the Government were in general agreement with that object.

A journalist asked: 'When you accepted office, high hopes were entertained by the public that you would endeavour to see that the political deadlock was solved. Please tell us what you have done in that direction.'

Sir Ardeshir brushed the question aside saying that it was too directly political to merit an answer at a Press Conference.

'Is it a fact that you were offered the Finance portfolio?' enquired the same journalist. 'I am not interested in any Department except that of post-war Planning,' came the reply.

Arising from his speech at the Planning Committee yesterday in which he said that unless there was crop planning, it would not be possible to ensure stable prices, a journalist asked Sir Ardeshir whether crop planning did not imply restriction in production, whereas there was a recognised need all over the country for expansion, not only of food crops but all crops, cash and otherwise.

Sir Ardeshir replied that crop planning did not necessarily imply restriction. It was intended to regulate production. There might for instance be an excessive production of a particular crop in a particular area, tending to depress prices; and it might to maintain a stable level of price. The agriculturist required to be ensured a remunerative minimum stable price for his produce; otherwise the entire agricultural economy of the country would collapse. After all, the majority of the growers

of food were also the consumers of food and therefore to keep the level of prices fairly high and stable, was a most important step in raising the general standard of living in the country as a whole.

The Planning Member mentioned that what he said about crop planning was not the established policy of the Government of India. It was one of the Imperial Council of Agricultural Research and he was eliciting opinion on it. In fact, some provinces thought that crop planning was not feasible.

Development of Chemical Industries

Arising again from his speech at the Planning Committee on Wednesday, a journalist asked whether the Planning Member ruled out the possibility of developing chemical industries to any extent in this province.

Sir Ardeshir replied that the development of such industries involved complicated processes and did not depend merely on the availability of raw material. The demand for the finished product, markets, etc., were very relevant considerations to be borne in mind before embarking on such industries. Manufacture of dyes was in a similar position. It was a highly technical industry, of which they could not have more than one unit in a country like India. Where the unit should be located would depend on a number of considerations.

Regarding the fertilizer industry, the Planning Member said it was the intention of the Government to produce fertilizers at some profit, if possible. But if there should be any loss, it would be borne by the Government.

‘Can one factory suffice to meet our needs?’ Was the next question, ‘No’, said Sir Ardeshir. ‘India can today consume two million tons of sulphate of ammonia. But it is a new thing requiring to be popularised. Hence we start with 350,000 tons, the target recommended by the Gregory Committee.’

A journalist suggested the departmental running of entire agricultural operations in the country. The Planning Member dismissed it as a most revolutionary step, not within the bounds of practical politics.

Answering a question, the Planning Member said that he recognised the need for geological research and he proposed to take up that question on reaching New Delhi. He also said there was an ever-growing need for engineers and that if today there were five times the existing number of engineers, every one of them would be employed.

As regards the question of nationalisation of public transport, the Planning Member said if nationalisation did not envisage exclusion of railways, if there was proper co-ordination between road and rail services, and if they were joint undertakings in which the railways, the Government and Municipalities had an interest, there could not be much said against it.

The Planning Member said that he had not neglected canals and rivers as useful forms of communication. He was entirely in agreement with the view that these waterways were the cheapest means of transport. In the past navigation might have been neglected but he was very keen that the matter should be properly examined. For that purpose he was constituting a Board. He entirely agreed with the questioner that much fuss was made of roads, and little thought or said about canals. The possibilities of air transport in the future were also kept in mind, added Sir A. Dalal.

Replying to a question regarding sterling balances, Sir Ardeshir said that it was quite possible that the UK would be able to supply capital goods cheaper than the USA. There was no reason to suppose that the UK would be capable of supplying only consumer goods. He could not, however, give any assurance on the subject: no negotiations between the Government of India and the UK on sterling balances had actually begun.

Sir Ardeshir Dalal in the course of his speech said that the first idea of planning on a national basis for India originated with Pandit Jawaharlal Nehru. He established the National Planning

Committee, which carried on its elaborate work for a long period until, owing to political and other reasons, its activities came to an end. The next attempt was by the authors of the Bombay Plan. They for the first time, in a very succinct manner pointed out what could be achieved by planned economy for India and how well the objectives could be achieved. They first opened the eyes of the world to the possibilities of economic planning in India and they also made the people planning-minded.

The establishment of the Department of Planning and Development by the Government of India might also be said to be a result of the Plan. The object of planning, the speaker said, was mainly to improve production to the greatest extent possible and to raise the standard of living of the masses. The standard of living in this country was almost below the minimum level. The actual national income per capita had been calculated at Rs 65 while for the barest means of sustenance a man should have Rs 75. The ideal of the plan was not merely to put more money into the pockets of the already rich but to have a fair distribution of wealth. It was one of the fundamental aims of the Bombay Plan and the object of the Government Plan was also that.

The speaker then referred to the short-term and long-term plans under contemplation. Questions like the settling of the demobilised soldiers, providing employment for the large number of labourers who would be thrown out of work after the war, the disposal of war contracts and the maintenance of the level of expenditure more or less on the same level as at present were questions of short-time planning. Long-term plans would include the industrial development of the country, and the improvement of agriculture.

Sir Ardeshir, continuing said, that the corner stone of their economy was the improvement of their agriculture. The Government of India have formulated a scheme which aimed at doubling the output from agriculture within 15 years at a cost of Rs 1,000 crores. The scheme was now before the provincial governments for their opinion. They had also formulated big irrigation schemes. In Madras there was considerable scope for expansion of irrigation. The Government of India had sanctioned the Tungabhadra schemes and other schemes were under the active considerations of the local government. In the matter of power development. Madras had made very good progress and there was considerable scope for further development. The Government had already made plans for the supply of selected seeds and manure. They had established a factory for the manufacture of sulphate of ammonia. The problems of remedying the evils of fragmentation and erosion were being considered.

Referring to educational planning, the speaker said that the Sargent Plan was being considered and the various provinces had suggested modifications to suit them. He next referred to the plans of the Madras Government in their matter. He said that he did not desire to dilate at length on the plans they had made regarding roads, communications and public health. 'All the measures,' he said, 'involve sacrifice and regimentation and unless the people are prepared to put up with regimentation and controls and are prepared also to sacrifice, as they are doing now for the sake of winning the war, they could not achieve their goal of freedom from poverty and disease.'

Sir Ardeshir then answered a few questions put to him.

In reply to a question whether there was any scheme for social insurance, like that of the Beveridge Plan in England, Sir Ardeshir said that they could not have such plan under the present conditions in India. Such plans were not within the scope of practical politics.

Asked about the means of finance to put into effect the various plans, the Development Member said that the Government of India were hopeful of getting the requisite finance but what they needed most was the personnel to work out the various plans. They wanted a large number of trained men. 'We want,' he said, 'boys to be properly educated particularly in mechanical, electrical

and chemical industries and in Geology. I wish that many of you, after qualifying here, would go to foreign countries and get yourselves trained in these industries to meet future needs.'

¹ Sir Ardeshir Dalal was Member, Planning and Development, Government of India.

8. Economic Regeneration is Linked to National Independence

M.A. Master's Presidential Address to the 37th Annual General Meeting of Indian Merchants' Chamber, Bombay, 31 January 1945.

Report on the Indian Merchants' Chamber for the year 1944, Bombay, 1945.

Mr President and Gentlemen,

Permit me, gentlemen, to begin my speech by offering to you all my very grateful thanks for the honour that you have conferred on me by electing me to the office of the President of the Chamber for the current year. I fully realise the value of this high office. I am keenly conscious of its great responsibilities. Today I can only say that it will be my constant anxiety and my continuous endeavour to maintain the best traditions of the chamber during the period I hold the office. May I also say, that I am deeply touched by all that you, Mr President, have said about me in your speech in such kind feeling and generous language. I am indeed very grateful to you for such affectionate appreciation. I do not know whether any Vice-President in the past had the good fortune to enjoy such implicit confidence, receive such careful consideration, get such active encouragement and be blessed with such innate courtesy from his chief in the day to day work of the Chamber as you were good enough to confer upon me. It was, therefore, Mr Pranalhai, both a privilege and pleasure to have worked with you. It lightened my task. It made me realise what joy the work of the Chamber can bring to those who serve its interests. The coming year, however, will be a year of trial for me. I know my limitations. Frank in expression and willing to serve, as I am, I shall need all the active co-operation and the generous indulgence that you, gentlemen, and the members of the Committee can extend to me for navigating successfully the ship of the Chamber often though it may have to weather storms and to plough its course through uncharted waters. With faith in the righteousness of our cause and with your active encouragement, valuable guidance and willing help, I shall do my best to justify the confidence that you have placed in me by putting me at the wheel.

In seconding the proposal for the adoption of the Report and Accounts, I may be permitted to offer a few observations on some of the matters which are of vital interest to us all.

Present War and the Human-front in India

India has not declared the present war. Her rulers have made India a belligerent country. The question as to when the war will end and how the problems of peace will affect her future, however, have been causing grave anxiety to us all. The impact of war on our daily life and on our daily wants has been tremendous. It has given us all a rude shaking and a shock which we cannot easily overcome. There is not enough food in the country to satisfy the hunger of the people. There is not sufficient clothing to cover their bodies. There is not even the bare means to light the darkness of the poor man's cottage. There are not enough roofs under which people can find shelter. Want of sufficient sugar and want of milk are damaging the growth of the younger generation. There are not sufficient drugs to ward off disease and death. Thousands of our countrymen have died and are dying of starvation. Lakhs of people in this land are suffering from malnutrition. And yet the

Viceroy told us only last December that 'in terms of property, of man-power and of money, India has gained during war years rather than lost.' His Excellency wants us to enthuse over the war and feel happy over the joys which it has brought to this land. It is a tragedy that those who adorn the high seats of authority are often out of touch with stern realities. A more correct position was visualised, however, by the Commander-in-Chief, when he remarked only a few days before the Viceroy had spoken that 'the sacrifice which the Indian peasant, with his small margin of reserve, was called upon to make was severer than the deprivation of comfort which people in countries with higher standards might suffer.' What he said about the peasant can with equal force be said about every other class of people in this country. Whatever songs of glory may be sung on the National War Front under the inspiration from our Government, you will agree with me, gentlemen, that there is nothing but tales of sorrow and suffering on the human-front in many a home in this land.

India's Contribution to the War

The actual and the estimated expenditure of the war for the last five years, we are told, will amount to more than a thousand and forty-six crores of rupees. I do not know by how many more crores this will go up yet when the Finance Member will be presenting his Budget next month. The normal pre-war defence expenditure of India varied between 45 and 50 crores of rupees per annum. India is, therefore, made to spend now nearly six times more on her defence services than what she used to do in the pre-war days. In addition to this huge expenditure, India has been finding a colossal sum of money for supplies given and services rendered on account of His Majesty's Government and her Allies. They are estimated according to the Report on Currency and Finance issued by the Reserve Bank of India to amount to over 1,700 crores of rupees at the end of March 1944. What does India get in return for this sacrifice unparalleled in the history of the world? The gift of inflation, Gentlemen, and the priceless security of mere IOU's from Great Britain!

Debtor Dictates When and if he Should Pay his Debt of his Creditor

Our Rulers tell us, Sir, that we are now a creditor nation. The creditor, in this case, however, cannot claim his just and normal right as to when and how the debtor shall repay the debt that is due by him. This is perhaps the new moral standard of international justice, which the British Prime Minister has established for the exclusive benefit of India, in vindication of his determination not to liquidate the Indian Empire and to evade the application of the Atlantic Charter to this country. We were warned only a few days ago by a British official, speaking at the Pacific Relations Conference, that 'if Indians are basing their plans for the industrialisation of their country on their ability to get within an early period the repayment of their balances in London and the rest of the Empire they will be disappointed.' On the contrary, he made it clear that when the Indian army moves overseas, the Indian balances in London would be substantially increased. His Excellency the Viceroy observed at Calcutta, in his speech last December, that these debts would be honoured by Great Britain. He, however, emphasised the fact that that did not mean 'that India will at once after the war receive a payment of so many hundred millions in cash. She could not spend such a sum in the international market if she did. The manner of payment of international debts incurred during the war will require much discussion and negotiation. I am quite confident that in these negotiations, the value and magnitude of India's contribution to the Allied war effort will be recognised; that her needs will be considered; and that the manner of liquidation will be arranged to meet her planned development.' It is not difficult to conceive on whose behalf and for whose interests Lord Wavell was speaking at Calcutta. Why should the repayment of the debt be made

dependent on the value and the magnitude of India's contribution to the Allied war effort and why should the ability of the creditor to spend his own money be made the test as well as the condition precedent for the return of the money due to him? This unique, unjust and undreamt of demand by the debtor from his creditor that the creditor shall have to be bound over for good behaviour to the satisfaction of the debtor before the debtor can even think of repaying the debt enunciates a new doctrine of democracy, the democracy of the Churchill brand, based on a conception applicable only to the subject nations which are beguiled by the preaching of the Sermon on the Mount but are confronted with pointed muzzle from under the altar cloth. This is the real position on our economic front. Let us have no delusions about their gravity. Let us not be bullied by sweet and soothing wards from influential and interested quarters. Let us put forth our strenuous endeavours to minimise our risks and maximise our strength to safeguard the entire economic structure of India both today and in the future.

The Myth of India Not Paying Fully for Her Defence Exploded

The Finance Member remarked in one of his speeches in the Assembly last March that India 'does not bear the full cost of the defence of India herself.' It is difficult to understand the significance of this categorical statement. While I do not propose to examine here today the new doctrine of 'joint war measures' sprung upon the country by the Finance Minister in his 1943 speech or the new elastic interpretation that he put upon the financial settlement between His Majesty's Government and the Government of India, I cannot help inviting your attention to the fact that the phrase 'joint war measures' occurs nowhere in the financial settlement between His Majesty's Government and the Government of India. We cannot, however, afford to forget that new burdens to the tune of crores of rupees are imposed and are going to be further imposed on India in the name of the joint war measures. The amount actually spent and the amount estimated to be spent under the war measures taken by India during the last five years aggregates to a sum exceeding 700 crores of rupees. We will find that even this huge figure will reach a further height when the Finance Member tells us in his next Budget Speech what he has further spent under this head.

India, as you know, has no voice in the determination of her defence expenditure. India has no control over the recruitment, training, organisation, officering and disposal of her defence forces. I wonder why the Indian army should be sent out of India for the defence of Imperial interests and be replaced in this country by the by army for her local defence. Apart from the fact that this procedure militates against the national prestige and self-respect of India, it involves India also into a huge financial loss. Even Sir James Grigg, when he was the Finance Member of the Government of India, had admitted it as a fact that if only the British part of the Indian army were Indianised, it would save India almost 7 to 12 crores of rupees per annum. The misfortune, however, today is that the European troops in India have been largely increased as a result of the war. The cost of their maintenance falls on India. It will, therefore, be obvious that with the British army several times larger than what it would be during peace times in India, India's financial loss under this head is bound to be several times 12 crores of rupees per annum. As you all know, Churchill has already told the Members of the House of Commons that the strength of the British army in India today was the highest that it ever was in this country before. It is not difficult to draw the inference that he wanted his countrymen not to have any anxiety for the safety of British interests in this country. The policy of keeping British army in India in peace time and increasing its strength during the war, after raising a large number of India troops and sending them abroad shows that England completely distrusts India and wants to hold her down in Imperial bondage both today and for the future.

How the National Government of India Will Defend Her Against the Invasion of an Enemy

We may be asked as to what would India do if Japan were to invade this country. We are told that the stupendous defence expenditure is necessary in India's own interests for the peace, prosperity and safety of her own people. May I point out that ability to defend one's own country is a true test of real sovereignty. India will be prepared to spend all the money that may be necessary for organisation and maintenance of her defence services on land, on sea, and in air, that she may consider necessary, if India were a free country. She then, will have the power and the freedom to organise the defence forces in the most efficient and economic manner entirely in her own interests. She will have the right to enter into alliance with other powers for their common defence on her own terms. Her army will form the defence forces. It will be Indians who will officer these forces. It will be Indians who would lay down the policy of defence. And it will be Indian who will lead their armies to victory. A free India will inspire the Indian to fight for his motherland. They will, then, feel like their British compeers, that they have a country of their own to live for as well as country of their own to fight for—and if so necessary to die for. He will know that he is fighting for his own freedom. Today however, that is not the case. Britain raises armies in India not for securing India's freedom, but for preserving and protecting her Imperial power. The huge man-power which India puts into the field, the colossal expenditure which India incurs, even at the cost of privations, miseries and sufferings to her people, assist only in strengthening the chains of her subjection to Great Britain. That is why India protests against this huge expenditure. India wants the defence services to be entirely under the control of her own nationals.

National Government Will Develop Industries Essential to National Defence

Had there been a National Government responsible to the people in India during the war and had they decided to make India a belligerent, that Government would have seen to it that all the important industries which are essential to the effective defence of the country came into existence during the war. Motor cars, tanks and armoured cars would have been produced in this land. Aeroplanes, bombers and fighters would have been manufactured in this country. Merchant ships and naval vessels would have been built in India. Efficient schools and training centres would have been established under Indian direction and control for preparing air pilots, naval officers and army commanders for controlling and directing defence forces of this country. Today, however, everything is under the British control. The army has been increased from about two lacs during peace time to 25 lacs during the present war. The entire control of this magnificent force rests with the British. Indians do not command. They are there only to carry out the orders. Is there any other belligerent country today which spends such huge sums of money for the defence forces without having either the slightest say in the matter of expenditure or any control of the policy which governs the organisation and disposition of the forces? India cannot be expected to spend huge sums of money under the plea of defence for strengthening the chain of Imperial bondage round her neck.

How Britain Responds to India's Demand for Freedom

It was, therefore, natural for the national leaders of India to ask the British Government as to what it was for which they were fighting the war. They had made it clear, from the very start, that if the war was fought 'to defend the status quo, Imperialist possessions, colonies, vested interests and privileges, then India can have nothing to do with it. If, however, the issue is democracy and a world order based on democracy, then India is intensely interested in it.' The leaders had crystallised

their position in unequivocal words. They had stated that 'a free democratic India will gladly associate herself with other free nations for mutual defence against aggression and for economic cooperation. She will work for the establishment of a real world order based on freedom and democracy, utilising the world's knowledge and resources for the progress and advancement of humanity.' Great Britain made, however, no response. I say so with a due sense of responsibility, despite the Cripps' Offer. India wanted Great Britain to transfer real power from British to Indian hands. Instead of making any effective and friendly gesture in this direction and thus proving to the world that Great Britain was really fighting for democracy and for the establishment of real freedom in the countries which were fighting the war along with them, they put the beloved leaders of the nation, who had but asked that India should have freedom and independence, behind the prison bars. They are kept there in detention and subjection in spite of the universal demand in the country for their unconditional release. The love for the country is their only crime. Their demand for freedom for their motherland is their only guilt. And how does Britain respond? Non-liquidation of the Empire, non-application of the Atlantic charter, non-release and non-convertibility of sterling balances and the continuance of Imperial preference is the answer given by Churchill to the demand for Purna Swaraj by the people of India. There is no political party in the country which does not want a National Government responsible to the people. Lord Wavell, however, characterised the present Government in his Calcutta speech as the National Government for India—a Government taking their instructions from Whitehall and not from the people of this country. It is difficult to criticise with restraint such an approach towards the problem of India's political freedom. Lord Wavell has told us 'whatever the future constitution may be, the events of the past thirty years have shown to us that it must provide adequately for the defence of the country and Indian leaders will do well to consider this closely.' No patriotic Indian, however, will fail to assure his Lordship that a free India will provide full in her own interest for the defence of her shores and her people, but they will do so not as at present under the control and domination of others but always in India's interests and in the spirit of friendship and cooperation with them. As business men and industrialists, we realise fully without India's political freedom we shall not have our own economic regeneration and national prosperity. Without our political freedom, we shall not be able to evolve that national strength and that national organisation which may be essential for the national defence. Such forces of defence will be as essential for the protection of the people as for the protection of the community throughout India today has been demanding the establishment of National Government responsible to the people, so that it may ensure the successful building up of a sound and progressive economic and industrial structure for India both for today and for the future.

How Government Plan Can be Detrimental to India's Interests in the Absence of a True National Government

That naturally leads me to consider, for a moment, what progress is being made for the working out of a national plan for India for the post-war period by the existing Government. Sir Ardeshir Dalal, Member for Planning and Development, has done his best during the last few weeks to inform the public about what the Government have been doing in this direction. While I appreciate this anxiety on the part of Sir Ardeshir to have a frank exchange of views with Provincial Governments and commercial bodies, in the formulation of the policy which should govern the plan which the Government would ultimately evolve, I cannot help remarking that it has not lessened the fears of the public for its eventual success for promoting true national interests of India. While Sir Ardeshir does not differ with the universal opinion in the country that the establishment of a National Government responsible to the people is quite essential to the successful

working of a national plan, he is naturally anxious to do whatever may be possible under the present regime for furthering India's interests. It is, however, India's misfortune that even Sir Ardeshir will not be able, in spite of his best intentions, to prevent, under the present Government, the creation of new non-national vested interests in the country. The manner in which the Government have been inviting experts after experts for advising them in the development of future industries and the action that they have taken in connection with the development of the Fertilizer industry in this land have only increased the apprehension in the public mind that the present Government cannot serve the true national interests of India. To me it is, however, a matter of genuine regret and I am sure it will be so to you also that when a demand was recently made that whenever the Government wanted to hand over the industries started under their ownership and control to private enterprise, they must be handed over to the nationals of the country and not to outsiders, Sir Ardeshir should have said that such a demand enunciated 'a policy of expropriation'. I do not think there could be any justification to characterise the demand for handing over the industries built up and developed out of the taxpayers' money to the nationals of the country as an act of expropriation. Such a demand is not only natural, but it is also fair, just and equitable. We shall have, therefore, to remain extremely vigilant to see that those who are enthusiastic to do something for India's industrial development, even under the present Government, should not be allowed to create conditions and forces which might strengthen the political domination and the economic resources of foreign interests who have given the greater setback to the industrial regeneration of this country.

I drew your attention in my last speech to the vital necessity of giving protection to national industries against the internal competition by the 'menace of India Limiteds'. The stability and expansion of the existing industries and the successful establishment of new industries in this land demand a categorical answer from the Government at this stage as to what action they propose to take and what protection they intend to give against the internal competition and menace from the foreign interests. Even as far back as 1916, the Government announced it as their policy that the Indian industrial development meant the development of industries by the nationals of the country and not the establishment of industries by foreigners in this land who used to export the products of such industries from abroad. For Sir Ardeshir to tell the public that a demand would raise a constitutional issue which the present Government cannot deal with is no solution of this grave problem. It only emphasises the need of a National Government responsible to the people and lends powerful support to the contention that it might be in the interest of India not to make any commitments under the present Government which might prejudice the future national interests of India even at the risk of being held up to public ridicule for sitting idle and doing nothing.

Foreign Capital Detrimental to the Growth of Indian Industries

Another question of equally vital importance is the question of the investment of foreign capital in this country. We have had very bitter experience, during all these decades, of how the foreign capital invested in this country has stifled our political aspirations and has created forces which have militated against India's political freedom. It is well-known that the India Limiteds, which have, taking advantage of the present half-hearted policy of protection, firmly established themselves in this country, are in fact the subsidiaries of foreign companies registered in this land. They have practically monopolised for themselves such industries as Chemicals, Automobiles, Rubber, Matches, Soaps, Cigarettes, Boots, Shoes, etc. They have thus been able, particularly in view of their superior financial resources, to stifle the endeavours of Indian enterprise in the same field, whether it was on a large scale or on a small scale.

Although Great Britain finds it difficult to repay the debt that is due to this country, her industrialists have shown willingness and even anxiety to invest further capital in the industries of this land. Some of them have claimed to secure 'partnership on an equal basis' in the industrial regeneration of this land. I do not know how far some of the Missions, which recently went to the United Kingdom, have encouraged this desire of the Britishers to further exploit this country during the post-war period. It is, however, an irony of fate what Government spokesmen, including Sir Ardeshir Dalal, should have welcomed the further participation and cooperation of foreign capital in the future industrial expansion of India. Mr Iyengar, Joint Secretary to the Planning Department, remarked in a recent broadcast that as long as foreign capital 'does not entail foreign control to the detriment of India', it should be welcomed by this country. Without becoming cynical, one may ask Mr Iyengar whether foreign control has ever been to the benefit of this or any other country. India's experience in the past is positively against such an assumption. No patriotic Indian can, therefore, ever believe that foreign capital has overnight become so altruistic and generous that it would, in the future, come to India only for India's salvation. The sooner, therefore, India makes it quite clear to the Honourable Member for Planning and Development and to the Government of India that it does not want the participation of foreign capital in the future industrial development of this country—unless it is needed and available in her own interest and on her own terms and under her exclusive control—the better it is for all concerned. This will stop the exploitation of India by foreigners. It will put its national economy on a sounder and more efficient basis in the future than it has been in the past.

Will Indian Capital be Available for Indian Industries?

A question may, however, be raised whether it will be possible for India to find sufficient capital for the industrial development which it contemplates in the post-war period. No authoritative figures as to the amount of capital that will be needed for such development are yet available. The Bombay Plan, however, has estimated that the funds required for industrial development, both for fixed assets as well as for working capital, during the first fifteen years, will be about 1,180 crores of rupees. This means that India would require on an average nearly 300 crores of rupees per annum for this purpose. Cannot India find this amount from its accumulated wealth as well as from its future savings? If the Government of India could secure nearly 280 crores of rupees from the savings of the public for their loans in a single year, cannot the same savings be made available for investment in Indian industries, if confidence is inspired in the public that the Government of India would take all the necessary steps for their protection and future expansion? The way in which private Indian capital has responded to the call of Indian industries that were given protection in recent years, amply justifies the hope that Indian industries in the future will not suffer from lack of capital, provided, of course, that they are allowed to work and develop purely in the national interests of this country.

Present Policy of Taxing Industries Needs Radical Revision

Another matter which has been seriously exercising the mind of the industries is the policy of taxing industries. As I have dealt with this subject fully in the past, I do not propose now to cover the same ground again. There is, however, one point in connection with this vital question, to which I consider it my duty to invite your attention today. Sir Ardeshir Dalal does not seem to share fully the view of the commercial community that the existing policy of taxation does not enable industries to accumulate such reserves as would assist them in meeting the cost of re-equipment, rehabilitation and future expansion. The authors of the Bombay Plan in their Second Report, have, however, remarked that in any scheme of future taxation that may be evolved 'it is

necessary to emphasise that adequate remission should be granted in respect of the depreciation of the assets employed in production and that incomes ploughed back for increasing industrial or agricultural production should also be granted similar remission.' Satisfactory as this suggestion is, it is necessary to emphasise that the policy of taxing industries on the present scale does not leave with them the reserves which are badly needed both for re-equipment as well as for expansion. One may legitimately ask how the industries should finance their programme in the future for this purpose. For instance, if a spindle cost a Mill Rs 50 and a loom Rs 800 before the war, and if the same spindle were to cost that Mill Rs 200 and a loom Rs 2,500 during the coming years, can it be said that the policy of taxation has allowed the textile industry to accumulate such reserves as would enable them to finance their programme of rehabilitation and reconstruction? One should not expect that such programme should be financed by further borrowings. That is bound to affect the economic structure and the financial strength of the existing industries. It should not be forgotten that industries in other countries have financed their programme for expansion out of the profits that they have already made. Unless, therefore, the existing policy of taxing industries is so revised as would enable them to provide adequate depreciation, calculated on the basis of replacement, and would place them in a position to build up sufficient reserves after the payment of taxes for their future expansion, not only will the existing industries find it difficult to maintain their financial stability but it will also make it almost impossible for future industries even to withstand foreign competition in spite of protection. I would, therefore, most earnestly appeal to Sir Ardeshir Dalal, who has vast experience in these matters, to urge upon the Government of India to evolve such a policy of taxing industries in the future as will enable both the existing and the future industries to grow and expand out of the profits that might be made by them under the policy of protection, when necessary, in the true interests of this country.

Policy of Importing Consumer Goods Should Not be Inimical to the Growth of Industries Producing Them in India

The policy of the Government of India for the encouragement of the import of consumer goods has been creating serious concern in the country. When the Commerce Member announced that he would discuss this important question with the representatives of the Federation, it seemed that the Government of India were in right earnest to respect the considered views of the commercial community in this matter. The recent announcement of Sir Akbar Hydari and his colleagues on the eve of their departure for the United Kingdom in this connection has shattered even the little hope that was entertained by the expected exchange of views which was promised by the Commerce Member. It is true that Hydari's Mission, as stated in the communiqué, will explore with His majesty's Government 'the extent to which war demands on India can be offset by help in other directions'. If these other directions, however, are to be determined, as observed by Sir Akbar on the basis of the conditions under which the other side, i.e., the United Kingdom is labouring, it is not difficult to imagine what those other directions will ultimately be. We shall be deluding ourselves if we believe that those directions will really be for the benefit of and in the interest of India. Moreover, the commercial community has been urging upon the Government the necessity of taking all possible steps for increasing the output of those goods which are produced within the country and of assuring the public that they will not import from abroad such goods as may compete with goods manufactured in this land at least in such quantities as would militate against the existing stability and future growth of Indian industries. Industries producing such consumer goods in this country have been allowed to suffer for want of machinery and spare parts needed for their economic working as well as for the want of adequate supply of coal and lack of necessary transport facilities. It is, therefore, of vital importance that definite steps should be taken by the

Government to help industries in the country in the matters referred to above before consumer goods of the type produced in the country are allowed to be imported even in qualities which are temporarily required. The attitude, which the Government of India have adopted hitherto, naturally fills these industries with serious concern about their future and the least that the Government should do immediately and even at this stage is to give the country a categorical assurance that no action shall be taken by them in regard to the conclusions that Sir Akbar Hydari's Mission might arrive at in respect of the import of goods from the United Kingdom to this country in the future unless the Indian commercial and industrial interests have been taken into their confidence in the matter and given a proper opportunity of expressing their views in connection with the same.

9. Editorial on M.A. Master's Presidential Address

Free Press Journal, 2 February 1945.

Mr M.A. Master's comprehensive survey of the economic and industrial situation in India in his presidential address to the Indian Merchants' Chamber emphasises that Indian business stand solidly behind the National Demand.

British manoeuvring in Indian politics has tried to play off one section against another. But it has not made much headway in the sphere of interests. In view of the success which has attended the 'divide and rule' policy in the communal field, this is a notable tribute to Indian solidarity.

Mr Master not only linked economic regeneration and national prosperity in Indian independence, but he exploded the curious doctrine embraced by high officials that foreign capital is innocuous, if not beneficial, so long as it 'does not entail foreign control to the detriment of India'. This question-begging proposition met with short shrift at Mr Master's hands.

Mr Master demanded that the Government make it clear beyond doubt that foreign capital is not needed in the industrial development of India. Sir Ardeshir Dalal who has been at great pains to prove that the present Government has potentialities for good, might usefully apply Mr Master's test for industrial autonomy.

The new President of the Merchants' Chamber was quite definite about the possibility of raising indigenous capital for financing industries. The Government of India, he said, by the loans they had raised in a single year had put that matter beyond question. Industry, however, had to be permitted to develop by a revision of the taxation policy of the Government. The accumulation of reserves to enable Indian business to provide for the costs of re-equipment, rehabilitation and future expansion, was not possible under the present taxation.

The import of consumers' goods which is now proceeding apace and the development of India Limited companies was denounced by Mr Master as measures calculated to throttle Indian industries.

To those who would believe that the war has benefited India—and this includes eminent personages like the Viceroy—Mr Master gave a fitting rejoinder. The illusion that huge profits are to be reaped from the destructive activities of war is one that is fostered by all administrations. Mr Master erred in assuming that those in the high seats of authority are out of touch with realities.

Lord Wavell, it may be well believed, is more closely acquainted with the realities of Indian conditions than others. Apart from the greater details available to him, he has a picture of India as a whole.

It is understandable that, as one responsible for the administration of this country, the Viceroy, should concentrate on the more pleasant aspects of Indian conditions.

In the context of the sterling balances, moreover, Mr Master sternly rebuked Lord Wavell for speaking on behalf of Britain. That capacity was not abandoned by Lord Wavell for a single moment in his Calcutta speech.

A creditor has always to cut a sorry picture in the eyes of the world. And when the creditor appears as prosperous and flourishing beside the suffering and heroic debtor, he might as well write the debt off as lost.

In Roman history the soldier returning from a victorious war was pardoned his debts. Lord Wavell was not original in presenting India as vastly profiting from the war. But he was certainly the first to refrain from drawing the obvious conclusion should such a country press for payment of the debts due to her?

Apart from the usual deterioration consequent on war, India suffers the double burden of sending her troops abroad and importing foreign troops into this country.

Congressmen Cellar has openly indicted Britain for impeding the war effort by fostering conditions in which American soldiers have to come across the ocean instead of having Indian soldiers for the defence of their own country.

Mr Master has gone into the matter at considerable length. And the conclusion he arrives at is that it is essential for free India to have full control over her own defence. The industrialist has gone even further than the politician. Whilst political leaders have been prepared to make accommodations to war necessity, Mr Master proves effectively the short-sightedness of such concessions.

Mr Master's analysis should clear once for all, all illusions nursed by British publicists and politicians about the prospects of weaning Indian industrialists and Indian business away from the National Movement.

10. The Need for a Well-defined Industrial Policy

G.L. Mehta's speech at the Annual General Meeting of Federation of Indian Chamber of Commerce and Industry, 4 March 1945

FICCI Proceedings of Annual General Body Meeting 1942-45 (New Delhi, 1946).

Mr G.L. Mehta (Indian National Steamship Owners' Association, Bombay): Mr President and Gentlemen, The Resolution which I have to place before you reads as follows, but with the permission of the Chair and of the House, you will allow me to make a small verbal change in it:

'The Federation urgently invites the attention of Government to the growing anxiety in the commercial and industrial community of India with regard to the absence of a well defined policy relating to all-round industrial development of the country and requests Secretary to make an early declaration of their policy in respect of:

- (a) the role of the State in future;
- (b) the measure and extent of protection to be extended against internal and external competition to Indian industries both in existence and those that may be started hereafter; and
- (c) India's participation in any international arrangements which may impede the fullest utilisation of India's resources.'

Mr President, although this Resolution is divided into three parts, it all boils down really to one thing, namely, the absence of a positive declaration on the part of the Government of the policy that they propose to follow in regard to industrial development after the war. There has

been unfortunately no categorical and unequivocal declaration on the part of the Government that they would safeguard the position of Indian industry and that they would stand by it and encourage its development, say, within the next 25 years. It is true that the new Planning and Development Member, Sir Ardeshir Dalal, has made certain statements which have been reassuring. For example, he has stated that the Government will try to foster intensive industrial expansion. He has also said that there will be liberalisation of the conditions laid down in regard to the grant of protection by the Fiscal Commission nearly 25 years ago and that there would be a permanent Tariff Board. But I put it to you that these assurances welcome as they are and also certain other assurances which were given by the Honourable Sir Ramaswami Mudaliar, the Supply Member, are not enough. For, it is not merely a question of liberalisation of the tariff policy of the Government, but it is a positive assurance which we want that the Government will protect both those industries which have come into existence during the war and those which have expanded as a result of the war and which are an integral part of national economy, both from external and internal competition.

Mr President, may I say at this stage that one great difficulty today in the Government of India is that there is no Government of India as such, but there are only so many Departments of the Government of India. Somebody said the other day that the Government of India sometimes speaks with two voices. This is an under-statement. They speak sometimes with as many as eight voices and we do not know which voice to give credence to, at what time and in what respect. I shall mention to you one or two specific examples of this a little later.

This Resolution deals with post-war development. The Honourable the Finance Member¹ himself in his Budget speech said something which is in a way a comment on the Government themselves. Referring to the question of the postponement of negotiations regarding the sterling balances, in paragraph 33 of his Budget speech, the Honourable the Finance Member said:

‘In view of the lack of definition at this stage of our own development programme, I do not think that the delay should be prejudicial to India’s interest.’

He goes on to make a statement which I think this Federation and the Indian commercial community and the public at large should take exception to. He says:

‘Post-war development must mean and must continue to mean post-war development and by no magic or optimism can it be made to mean war-time development.’

Now, Gentlemen, I am fully aware of the fact that this reference is made in regard to financial matters, nevertheless it has a vital implication, and I think it is not a correct policy for Government to take because in other countries, it has really been the attitude of the Government to lay the foundations of post-war development during war time by and through the development of war industries. For example as far ago as 1941, the then Australian Premier said: ‘In the very carrying of the burdens we are laying industrial foundations, opening up new resources, acquiring new skill and experience; paradoxically enough, our war needs are likely enough in many ways to provide our peace opportunity.’ This is the spirit in which other Dominions work. For example, today, starting from a scratch, countries like Australia and Canada have been able to build up key and heavy industries. Canada, for example, is today the second country in the world in the building of cargo ships, fourth among the world’s air powers, the third trading nation in the world. It had undoubtedly a substratum of industrial development before the war, but many of her industries have been developed during the war; for example, such as her chemical industries, optical glass and synthetic rubber, have been developed from scratch. So also in the case of Australia, in regard to steel and air craft. But here in this country, we cannot say that during this war, we have been able to build up one single key or heavy; in fact, because of the difficulty in getting some essential

raw materials, plant and machinery, our industrial development has been handicapped in many respects.

Gentlemen, India's participation in any international agreement should not impede the fullest utilisation of India's resources. As the war is coming to an end and post-war developments are being planned there will be several International conferences. There might be arrangements, understandings and agreements, commercial and otherwise, in regard to many matters, in which the British Government will participate, and India will, whether with or without her wishes, be made a party. For example, there might be agreements in regard to equal access to raw materials of the world. Significance of this formula simply is that the more industrialised countries of the world will have abundant and cheap raw materials. It is a matter in which not merely our industry but also our agriculture is vitally interested. Similarly there might be other arrangements in regard to minerals as well as raw materials; for example, there is, as you are aware, the Combined Raw Materials Board dominated by Anglo-American interests, which it is proposed to continue after the war. There is in this country functioning under the Foreign Economic Administration of the United States, bodies like the Defence Supplies Corporation and the Metals Reserve Company which comb out rare materials and metals from our country for war purposes. It is essential that these activities should be terminated as soon as the war ends. For, after all, whatever may be said of consumer goods, mineral resources are things which once you exploit and use up cannot be replaced. Many years ago when Burma was a part of India, Sir Thomas Holland who became the President of the Indian Industrial Commission deplored the use of foreign capital in the petroleum industry of Burma and stated that the drain of profits was 'an unnecessary and undesirable tax' which India must continue to pay until she could find her own capital. As far back as 1903 when this question was discussed actively, an Anglo-Indian newspaper in this country, *The Statesman*, whom nobody would accuse of being partial to Indian interests, observed that 'the exploitation of the mineral resources of the country by the foreign capitalist stands on a different footing. For, in this case, the wealth extracted is not reproduced and on the unreasonable assumption that it would sooner or later have been exploited with Indian capital, may unquestionably be said to deprive the people of the country for all time of a corresponding opportunity of profit.' Gentlemen, it is, therefore, essential that we should concentrate our attention not merely on consumer goods and even on heavy industries but also on the utilisation of minerals, which is a very vital question. There are reports of prospecting and operating licences being given to non-Indian interests which have created considerable misgivings and need to be looked into.

As regards commercial treaties, the British Prime Minister and the British Chancellor of the Exchequer stated that their acceptance of Clause 4 of the Atlantic Charter or Article 7 of the Mutual Aid Agreement in regard to removal of tariff barriers was subject to their respect for existing obligations; in other words, that they could not give up Imperial Preference. In that case, is not a country like India entitled to say that we cannot agree to formulae and stipulations which really are not suitable to India's economic interests and conditions? In fact, India today lacks even the minimum technical equipment of key industries. Our experience in regard to international agreements in the past has been very unfortunate. We have had to accept obligations, burdens and responsibilities under such international agreements while being denied the rights, privileges and benefits they confer. For example, we do not even now know whether the Atlantic Charter exists or not. President Roosevelt says that the Atlantic Charter is like the Ten Commandments and Mr Churchill says that it is only a guide and not a rule. But so far as the obligations under the Atlantic Charter are concerned, it is always assumed as matter of course that India will be a party to them and carry them out.

This question of international agreements is not merely a question of agreements between Governments which will in the years to come become important. There will also be agreements and arrangements between powerful interests through international cartels and combines. It is very essential that the operations of such cartels and combines, in so far as they affect Indian industry, should be carefully studied. In fact, I venture to suggest that it is time that the Government of India instituted a thorough, comprehensive and impartial inquiry into the ramifications of such international cartels, their operations, their effects, and their rules and regulations, because you will appreciate it is impossible for any indigenous Indian industry to come into existence unless these cartels' activities are controlled in India. In an illuminating pamphlet on the Fertiliser Industry, Sir Padamji Ginwala has shown how both the producer and the consumer in India subsidised the Imperial Chemical Industry, before the war. The Indian farmer paid anything from Rs 30 to Rs 40 per ton more than the prices obtaining in Great Britain. But this did not benefit the Indian industry but only the British Sulphate of Ammonia Federation. Many years ago, the Tariff Board in India exposed similar ramifications of the Oil Industry, and the instance of the Swedish Match Combine which sent down many small Indian match factories is still fresh in our minds. This question needs immediate attention.

Closely related to this question of international cartels is the important question that was discussed only the day before yesterday in the Assembly, namely, the question of foreign enterprises operating in this country and of commercial safeguards. In a forcible speech, Mr Manu Subedar placed our case in the Legislative Assembly. A.N. Manu Subedar's motion on the question of commercial safeguards introduced in the Legislative Assembly on 2 March 1945 recommending to the Governor General in Council 'that early action be taken for the removal of sections 111 to 121 (both inclusive) of the Government of India Act 1935' had been adopted on 10 March 1945. Let me state that in the Second Report of the Reconstruction Committee of the Council of Reconstruction Planning, it is stated that in such cases where technical assistance is needed, 'the participation of outside interests may, if possible, be confined to the provision of technical assistance, machinery and experience', and then it is stated that 'care should be taken to see that the capital is issued to India, that a major part of the capital and the directorate is Indian, and that control over policy rests in Indian hands'. Further, it is stated that 'where it is necessary to leave the management of such industries to outside firms, provision should be made for the training of Indians in all the technical processes and the ultimate transfer of control and management to Indian hands'. Now, Gentlemen, this is a very important question, and is likely to become vital in our future economy. Indeed, this resolution emphasises that all external and internal competition to Indian industry should be provided against.

It is necessary to define what is meant by Indian industry. Here I come up again what I said—the lack of co-ordination in the Government of India. This reminds me of a story. There was a young boy who bought a pair of socks in the market and found that it was 4 inches too long. So he went to his mother, his aunt and his sister and requested them to shorten it. But each of them pleaded that they had some work—probably Red Cross—and were unable to shorten the socks, but subsequently, they felt repentant. The boy had gone to sleep, and each of them in turn shortened the socks by 4 inches without the other knowing it, so that when the boy got up in the morning he was surprised to find that the socks had become too short, and then he remarked, this is precisely what the Government of India today is suffering from. For example, in a Committee which I had the honour to attend last April, the question of what is Indian company was discussed, when the Chairman was pleased to remark that the term 'India' includes 'British' also, although the Government of India agrees with the principle that internal air services should be operated by Indian companies. On the other hand, when we go to other matters, it is a different story. In the

Shipping Policy Committee, Mr Neogy raised this question and inquired as to what chances there were of any action being taken on the shipping programme contained in the Government of India's memorandum with the constitutional limitations in force. There were interpellations in this connection the other day in the Legislative Assembly, and the matter, as I said, was also discussed there. It is, therefore, essential to know what is the Government of India's policy in this respect. I must state that in a speech which was conciliatory and recognised the force of Indian opinion, Sir Ardeshir Dalal, in his reply in the Legislative Assembly, referred, for example, to the declaration of Mr Amery which was made when he stated:

‘His Majesty's Government made it clear in connection with the recent offer (that is, the Cripps Offer) that a guarantee of special protection for British commercial interests in India would not be a condition for the acceptance of whatever constitution Indians might evolve after the war and that any such provisions would more appropriately be a matter for negotiations with the future Government of India.’

In fact, Sir Ardeshir Dalal recognised that the chances of Indian industrialists competing on equal terms with such combines and companies with their vast experience and resources are poor and said that it is realised that Indian opinion does not regard such a state of affairs with satisfaction. Further, he said that since the Government of India have large schemes of post-war planning under contemplation and under review, this whole question of constitutional safeguards cannot wait until the new constitution is finally settled and becomes the law of the land. He therefore said that he proposed to take up this question with His Majesty's Government at an early date and to arrive at some sort of understanding. I would like to say only one word in this respect. If we are going to have independence or Dominion Status or full sovereignty after the war, and since these safeguards are unprecedented, stringent and comprehensive, then there should be no question of any interim arrangement in regard to these matters. These safeguards should be abolished completely and rendered nugatory, and only when there is a free Government in India, that Government might negotiate whatever agreement is necessary between Britain and India. We do not want that the Government of India should again bind themselves to any new fetters while trying to get rid of the old ones. I cannot help quoting one passage which, I think, is very apposite at the moment, and that is what, in a historical speech, President Wilson stated in regard to this question of foreign capital. He said:

‘A country is dominated by the capital invested in it. It is a fundamental idea that in proportion as foreign capital comes in and takes hold, foreign influence comes in and takes hold. Therefore, processes of capital are in a sense processes of conquest.’

Gentlemen, we have been told by the Planning Member that there is no interference, in regard to this question of planning, from Whitehall. We are prepared to accept this assurance; but may it not be because we are still at the stage of formulation and not at the stage of execution of plans? And if that is the case then this issue which is a vital issue, which is a test of fiscal autonomy, namely, protection of Indian industries under Indian control—let us see what is the reaction of Whitehall. We shall also watch their reaction with interest in regard to the question of sterling balances, which are also vital for our industrial development. Gentlemen, in fact, although Mr Amery and his friends say that they will not interfere with our industrial development, I cannot help saying that certain recent events have undoubtedly increased our apprehensions. Reference to them was made yesterday in your speech, Sir, and in some of the speeches made on other Resolutions. As you are aware, two corporations have been recently formed in England, one to help British industry and another to help British commerce; and recently, the Minister for Reconstruction has increased the guarantee for export trade facilities from £75 millions to

£200 millions. These are rather ominous signs and I would urge that we have to be vigilant in this matter.

The last point on which I should like to dwell is the question of the role of the State in industry in future. There also, as in regard to this policy of protection, we have heard authoritatively that the matter is still under the consideration of the Government of India, and that no decisions have been arrived at. I do not wish to tire you by reading quotations upon this matter; but this has been said not merely in the Report of Reconstruction Committee of the Council and in various post-war Committees, but in several speeches, that these two subjects of protection to Indian industry and in regard to State control and ownership and participation, are still under the consideration of the Government of India. It is time that these questions are decided, because it is not fair to Indian industrialists to keep them undecided; otherwise they cannot make preparations ahead without knowing what is the policy of the Government of India on such an important question. I will give you only one example. Last year we had a meeting here of the Post-War Committee on Aviation; and the consensus of opinion in that Committee was that operation of internal air services should be done by private companies licensed and controlled by Government. One year has gone by the Government of India have not been to make up their mind one way or the other. On the other hand, in some other Committees, Government Members declare that it is their policy to nationalise many industries. For instance, in the Committee on Electricity and Public Works, Dr Ambedkar, the Labour Member, declared that private enterprise is only a phrase, because industry is carried on by joint stock companies and because business concerns follow a policy of caution and not of adventure in order to stabilise profits. Is this the considered view of the Government of India that joint stock enterprise cannot be considered to be private enterprise? And if that is not the opinion of the Government of India, what is precisely their policy in regard to this important question of State participation? It is not possible in the course of a speech this morning here to deal with such a complex and important question as State versus private enterprise. The Honourable Finance Member, in a sort of obiter dicta in his Budget Speech has given one ground on which industries should be nationalised. Now, I myself feel that so far as the future Government in India is concerned, it is quite possible that a National Government—as was, in fact, declared by the Karachi Session of the Indian National Congress—may decide that key industries shall be nationalised. But I want to urge only one or two considerations on this question. I believe that in the second part of the Bombay Plan, it has been suggested that certain basic industries may be nationalised, the desideratum being that the government itself must be the government of the people of the land. I cannot really see the reason for this sudden enthusiasm for nationalisation that is overtaking our Government at this time of the day. I hope it is a genuine interest in the welfare of the people and not any other extraneous considerations. But when considering this observation of the Finance Member on this matter, I cannot help feeling that this is only, if I may say so, a casual and haphazard statement rather than an expression of considered view of the Government of India. When we consider this question, we should take into account the availability of capital resources, the structure and nature of the State, the character of the administrative machinery that may be at the disposal of the State and so forth. Then again, in regard to industries which are taken over by the State, let us not forget one or two facts. One is that the development of that industry will depend not so much on the progress of the industry itself, but it may be general budgetary considerations. Moreover, there is always one risk that I think we have to recognise in this matter; and that is that the losses that the taxpayer suffers, e.g., owing to inefficiency or other causes in the industry concerned, might be transferred on the general taxpayer in a concealed manner, without his knowing exactly what is taking place. In fact, this is a matter about which we have to be very much on ground. If we are under a Government that is not our own, our attitude has been to throw the

blame on the Government and say 'let Government pay'. But where does the Government get the money from? They get it from you and me—from the taxpayer—so that if an industry is not efficiently run and managed, then it is not the Government that pays but the taxpayers and consumers who are going to pay, and this is a consideration which, I think, we ought not to lose sight of.

Mr President, I must say one thing more and I think it is necessary to emphasise it: that before we think of nationalising our industries, we have to think of nationalising our Government. I must confess I have every sympathy with the socialistic point of view; but I think in the world of today, we have not to think only on ideological basis, we have to think not only on the basis of doctrines and dogmas, but on the basis of economic factors. As some wag said, 'all isms have become wasms'. When Soviet Russia co-operates with Imperialist Britain, we do not know exactly where we stand in the matter of ideologies.

Moreover, Gentlemen, unlike other countries where industries are subject to controls and are guaranteed corresponding State aid, we do not want to see that we should be subject only to controls and not get any corresponding assistance and advantages also; and I would further like to add that under existing conditions, nationalisation means distribution of posts and services and even contracts and tenders, not always on considerations of efficiency but on other extraneous considerations.

Lastly, I would like to say that while undoubtedly surveys and memoranda and reports and even experts, particularly from the United Kingdom, are all necessary—and, in fact, on the question of exports, one of the principal items of exports of the United Kingdom is the export of experts—for investigation purposes, let us not forget that the formulation of a plan is not necessarily the execution of the plan. It may be today that the paper industry is mainly benefited through the publication of these plans. But I suggest that in the years to come, the Government, like all of us, will be judged by the results of the discussions and negotiations and investigations and not merely by the paper plans that are prepared. Sir, I move.

¹ Jeremy Raisman, Finance Member, Government of India, Budget Speech at Legislative Assembly on 28 February 1945.

11. Imperatives of Industrial Development

B.M. Birla's Presidential Address at the 19th Annual General Meeting of the Chamber of Commerce, Calcutta, 23 March 1945.

Hindustan Times and *Leader*, 24 March 1945.

The war in the West is coming to an end. In just a few months, perhaps weeks, hostilities may cease. But it seems that the devastations which have taken place in most of the European countries would give rise to many complex problems. The problem of rehabilitation is already there. But it will also raise many other problems, social, political and economic and even set up a conflict between different ideologies. We have already seen one Government after another in the liberated territories being replaced by a more radical Government. It shows how the social order is changing. India cannot remain unaffected by such changes.

The second part of the Bombay plan has recently been published. Some people think that its proposals go too far in the socialistic direction, and are calculated to do more harm than good. It would be a mistake if the business community shared that view. We must recognise that every member of the human society is entitled to enjoy a certain minimum standard of life.

It may not be possible for us to provide all the amenities which are usually provided in Western countries, because, our national income is so low. But all the same, we must provide against starvation, lack of medical aid and illiteracy. That provision is the minimum with which we have to start.

The proposals of the Bombay Planners in this respect are to be welcomed and we appreciate the spirit in which they have suggested a certain minimum standard for the entire population. What the Bombay Planners have suggested is a step in the right direction—to ameliorate the condition of the vast mass of the people, especially in villages, who have not benefited by the country's industrialisation. Any effort to improve their lot should receive full approbation and support from businessmen, whose prosperity is bound up with that of the masses.

How can the ideal be attained? Taxation and more of taxation by itself cannot bring about any appreciable improvement in the people's condition. In this country there are very few people who may be said to be high up in the economic scale. In the year 1942–43 the Government of India income-tax returns showed the total number of persons who paid taxes on incomes of about Rs 10,000 or above to be approximately 40,000. Their total income, which it should be remembered included the income of all those men who are considered to be fabulously rich, amounted altogether to Rs 65 crores.

This, of course, excluded the incomes in the same grade derived from agriculture and in the States. But presuming that the income also amounted to a similar figure, the approximate total will be only 130 crores. Even if the whole of this were distributed among the entire population, it would increase the per capita income by only about Rs 3–4 per year. These are the figures of war years. In peace-time the position would be worse. But the desired relief could not be provided merely by equalising everybody's income; it can only be had from a larger return from our land and industries, namely, greater production. It is there alone that our salvation lies.

One of the tragedies of the situation in this country arises from the fact that there is too much of red tape in which plans and schemes get entangled without being able to make any advance whatsoever. The Governmental machinery was described by the late Mr Montagu as wooden and antediluvian; it has not lost that character yet.

It may pass the test, so far as the collection of land revenue and even so far as preservation of law and order is concerned. But it is absolutely beyond its capacity to deal in a satisfactory manner with questions like the planning of greater production or the bettering of the people's condition. The machinery needs thorough overhaul to make it a better instrument for meeting the needs of the situation in all such matter.

If we look to the efforts made in the United States and England during the last few years for the prosecution of the war, we shall find in them much to encourage and also to guide us. England which was almost entirely dependent for her food supply on imports considerably increased her agricultural productivity. Of her industries, which were bombed out, some had to be reconstructed, some had to be adapted for military production and some had to be rationalised, but in spite of the bombing which continued, all of them showed an increase.

What the situation requires in India is that we should change our conception and set before ourselves certain targets, to be attained not over a period of 15 years, but during the next year or two, and work hard to reach these targets. The whole concept of planning must be revised to suit our needs. The competence of persons must be judged from the results which they achieve and not merely from the paper plans and scheme which they produce.

The present Member of Planning is doing all he can in the difficult situation in which he has to work, but it is well known that he can merely set or suggest targets. It is the other departments of the Government of India and the provincial Governments who are responsible for the execution

of the plans. I referred in my last speech to the necessity of some executive powers being given to the Planning Member so that he can see to it that the targets of production set by him are duly attained.

Bad as things are, even here in India, Government has succeeded in stepping up production for war purposes, which shows that if it were similarly in earnest about social amelioration, its record in the matter of achievement would have been much better than it is. What is chiefly lacking in the present Government is the will to get things done in the direction of the development of India's resources with a view to the raising of living standards here ...

First of all, a post should be created analogous to that of Chief of the War Production Board in the United States and held by a competent person with powers wide enough to ensure the achievement of results. Secondly, sufficient incentive should be provided for increased production and the burden which industry has to bear at the moment should be sufficiently lightened.

I may in this connection refer to some of our most urgent needs. Almost all the machinery which we need here has to be imported from abroad. This means that we have to bear packing charges, freight to the port of embarkation, port charges, ocean freight, insurance, landing charges in India, import duty and other handling charges. All these add to our cost by at least 30 per cent. This handicap has not to be borne by industries in England or other countries which, so far as their requirements of machinery go, are, more or less self-sufficient. Then most of the important industries in this country have to provide housing accommodation for their workers.

Here in India every important industry has to find money for the purpose which is as much as 10 to 20 per cent of its total capital cost. The result is that our capital cost is 50 per cent higher than in Europe. This constitutes for our industry a severe handicap. The British Government have allowed 20 per cent of the cost to be written off out of profits before any tax is to be paid. Here in India unless about 45 per cent of the total cost is allowed to be similarly written off, the handicap will remain and we shall not be able to compete with foreign industries on equal terms.

The Finance Member this year has allowed 20 per cent of our machinery cost to be written off out of the first year's profit. But this will not provide the needed relief and remove the handicap. The allowance should be increased to 45 per cent. Then alone shall we find ourselves placed on a footing of equality with our competitors abroad.

The existing level of taxation in this country which is only at the threshold of its industrial career is too high and stands in the way of any large expansion or advance. Those who are ahead of us in the race had not to start with a similar handicap, for the level was sufficiently low and industry had a sufficient margin left to it to provide the necessary incentive and encouragement. Here in India at present income-tax, corporation tax and divided tax take away seven and three-quarter annas out of the rupee. In the case of individuals the rate of tax is fifteen and quarter annas in the rupee for income above Rs 5 lakhs. Even in the lower category out of an income of Rs 5 lakhs, one has to pay as much as Rs 3,68,000 by way of tax. If we are at all anxious to increase our production, the incidence of taxation on industry has to be made much lighter than it actually is.

In the war period when sufficient productive capacity in certain industries was not available, the British and American Governments spent millions of sterling and dollars on expending the plants under the aegis of private enterprise by advancing loans for the purpose. The American Government is reported to have spent about 10,000 million dollars in 1944 alone. In 1943 the loans were over 5,000 million dollars. The British Government also spent a huge sum. For the post-war period the US Government has a scheme under which dollar exchange will be provided to those countries which may need it for trade purposes. In other words, it is going to help with capital such industries as want to export goods.

The British Government has promoted several concerns. We already know how the UKCC has been working in war time. Now the Government has promoted a company which will finance export trade. There are other corporate bodies which have been promoted for financing industrial enterprise in the post-war period. In providing the needed finance, these corporations will not have to depend entirely on their initial share capital; they will be given the facility of borrowing themselves in order to be able to help industrialisation with adequate finance.

I am sorry to say that our Government has no such plans. Even if it had, possibly capital would never be made available to business for its expansion. A contrast is afforded by the attitude of some of our enlightened States which have been anxious to encourage and promote industries and, with that end in view, have been willing to attract businessmen to their territories by offers of help with capital for industrialisation. Though the States generally are extremely backward, they know that their prosperity is dependent on industrialisation and, therefore, they have been making efforts to help industries.

On the other hand, the Government of India has never been enthusiastic about such an expansion and has consequently done little or nothing to provide the necessary help. The Planning Member referred some time ago to the Government's willingness to participate in certain industries where capital was not forthcoming, but that willingness is yet to take a concrete form.

But why should the Government think of stepping forward only in their event? Why should it not recognise it as its duty to lend capital for industrial purposes to anyone who wants it, provided the enterprise is sound and satisfies certain conditions. Only help of that kind could prove timely and make for greater production with the least possible delay.

Then there is the question of protection of industries. Unless conditions are created in the country for encouragement of new industries, no amount of paper schemes would be successful. In the worst days of the depression in 1932–33 the Sugar Production Act was passed. India became self-sufficient in the matter in a short period of two or three years in spite of the depression in the country. If Government were to create similar conditions by affording protection to industries in anticipation of their needs, I am sure, industrialisation would be rapid and we could achieve the desired result in a very short time.

What is urgently required in every direction is the creation of condition favourable to increased production. This could be done through protection and through the provision of finance, technical advice and lower taxation, which all boils down to this that the industries should have the backing of a really sympathetic Government. Unfortunately in this country, of sympathy and help there is so little that production is unable to make the desired progress and its cost is higher than it should be.

In order that the capital cost may be kept reasonably low, it should be possible to devise a scheme under which housing accommodation is provided by or with the help of the Government and the industries concerned and relieved of the obligation of building quarters for the workers and the staff; otherwise, the Government should give loans to industries for workers' housing and charge interest at the same rate at which it is able to raise money in the open market.

For all practical purpose India remains an exporter of raw materials. The vast majority of her people have to spend their time as hewers of wood and drawers of water and then to part with those commodities in exchange of manufactured goods from the West, which, in terms of labour, it costs much less to produce. In our best interests we have to resolve that we shall no longer remain what we have been, that we shall extricate ourselves from the present situation and advance to the stage where we shall be ensuring for ourselves a fair deal by the exchange of like for like—of goods manufactured in our factories for those, including capital goods, manufactured abroad.

But industrial employment is only part of the larger question of employment for all able-bodied persons which it should be our aim and endeavour to provide. If our factories are worked

on multiple shifts all the 24 hours daily, it will mean the maximum possible production from the plant and the employment of a large number of hands. But that in itself will not suffice. During the war the approximate expenditure incurred by the British and American Governments in this country has been about Rs 700 crores a year. Taking the average daily wage to be about Rs 1–8, this means the employment of approximately 1.2/2 crores men per day, whether directly employed in the Army or producing goods for the Army.

Even after the war it should be possible to maintain employment at this, or even a little higher level, by guaranteeing to every able-bodied worker a job on certain minimum wage not far from his home. If we were thus to employ two crores of workmen the amount required would not be very large. They should be kept occupied in reclaiming lands, building roads, canals and other irrigation projects, in afforestation and other public works.

The aim should be to provide the workmen with jobs near their homes so that all the areas where spare labour is available could be simultaneously developed. In this way we can hope to increase the return from our land in the shortest possible time.

This would not require the setting up of any large factories or plants as most of the work and material would be found in the villages themselves. But the aim must be to provide work so that the manpower which is being wasted today through men having to sit idle for a greater part of the year may be utilised for greater production. Money should be made available from taxation and partly from borrowing.

With this end in view, it is necessary that our businessmen and other important people should visit different foreign countries and see for themselves the conditions prevailing over there. Our scientists mission which has visited England and America has been able to gather valuable knowledge which will be of great use to the country as a whole. A businessmen's mission¹ is already proposing to visit England and America in the very near future.

These visits, no doubt, would be extremely beneficial. But we should not be satisfied with sending just a few persons abroad. Much greater contact with those countries is necessary and Government should give all facilities to those people who want to visit foreign countries on such mission.

¹ The Indian Industrialists' Delegation that went to Great Britain in May 1945 included G.D. Birla, J.R.D. Tata, Sultan Chinoy, A.D. Shroff, Mir Laik Ali, Nalini Ranjan Sarkar, Ajay Singh among others.

12. Bhulabhai Desai's Criticism of Government's Statement on Industrial Policy¹, New Delhi, 25 April 1945

Statesman, New Delhi, 27 April 1945, and *Amrita Bazar Patrika*, 28 April 1945.

I have read the statement on industrial policy issued by the Government of India on April 23, 1945. It is to be regretted that within ten days of the closing of the Budget session of the Central Legislative Assembly the Government has thought fit to take this step.

The question of planning for the future as regards industries came up before the Assembly several times. It is unlikely that the official statement originated and was prepared and discussed only within the last ten days. It is obvious that it must have been prepared and must have remained under discussion while the Assembly was sitting. There are so many references in the communiqué to contemplated legislation that one cannot but suspect that this document was deliberately kept back lest the views of the legislature should become fully known before it was acted upon in matters which do not require immediate legislation and may be forced upon the people under the aegis of the Defence of India Rules which were never intended for this purpose.

The present Government cannot get away with the mere argument that planning is a necessary element of modern economic development. That is commonplace. But I should like to ask the Government why during the last 150 years, when they were collecting taxes and administering the country, i.e., keeping only law and order, no attention was paid to what is now proclaimed to be their purpose to stimulate nation-building. An experienced administrator told me the other day: 'Eighty per cent of our time and energy has been spent on what is called bare administration of the country.' I should like to add that even that is a very modest estimate.

During the war and after the Russian experiment the question of planning could not very well be neglected at least on paper. The other thing apparent on the face of the communiqué is that in some matters the government would actually be carrying out by means of executive action the policy contained in the document.

Planning is common to all systems of government. There is as much planning in Germany as in Russia if efficiency was the only objective. What distinguished the two is the purpose for which it is intended, the interests which are sought to be served and the agency through which it is carried out.

Judged by these three tests, or any one of them, the statement on industrial policy is both an unwise and mischievous step on the part of the present Government. They must realise that the present personnel or system of government cannot last any great length of time. Therefore, their object in precipitating the matter can only be to impose their own ideas in the interest not merely of this country, but of those who are of their head, namely the Government of Britain.

It appears to me, therefore, that whether it is in regard to licensing an industrial enterprise or determining its location or placing limitation upon capital issue, the power will be exercised in a manner likely to serve not the best interests of this country, but mainly the trade policy of England for the future. And it is quite easy to understand how the exercise of these powers can be made to subserve this purpose.

Let me take the three things in order. It seems to me that licences would destroy spontaneous development through private initiative, particularly where there is a field not yet covered by Indian industry. The system of licences can be honestly used in some circumstances by a national government, but it can easily become an instrument of injustice and oppression in the hands of those to whom Indian interests are not the sole consideration. It was amply shown during the last Assembly session that inefficiency and corruption have become rampant, but these were sought to be justified in small measure by the excuse of war emergency. But licensing will easily produce these two evils in an aggravated form the nearer we approach the end of the war.

Control of capital issues is a very serious thing. Now its only excuse appears to be fighting inflation, although I have not been able completely to agree with that view, as I have pointed out in some of my recent speeches. But when it is applied to long-range policy it is positively dangerous.

From comments on the Government's communiqué in the British press and by British public men and industrialists, it is perfectly obvious that they see in it considerable room for British capital having a share in Indian industries and in their development. They also see in it sufficient room for providing employment for skilled British personnel who would not be needed in their own country.

Looking at the list of 20 industries, it appears to me that the whole idea is that the vast future development of India is not to be the country's own business, but should be shared in advance by outside interests. It would be a most dangerous thing to have outsiders in complete or partial control of any of these industries. If it is intended even in this plan that so long as Indians are willing to contribute all the capital required no outsider will be allowed to have a share, the matter must be plainly stated in advance so that there might be no opening for the creation of further

foreign interests in this country, which become an excuse for a share in political power, or even for domination.

No national government would like any of these industries to be in the hands of persons other than their own countrymen if they are to serve their real purpose, namely the betterment of the people, a higher and stable level of employment and even the better preparation for the purposes of defence of the country.

As regards the agency to carry out planning, this matter is of even greater importance than the other two, because only the representatives of the national government can plan and carry out future development. It is bound to suffer in other hands, because any other set of persons, able or otherwise, cannot possibly have the same purpose and serve the interest of India with a single eye to its own development and to the raising of the standard of life of the people.

It is said that the Government are to take interest in these industries, either by loans or subscribing a share of the capital or guaranteeing a minimum dividend or by limiting profits. The Government constituted as at present can use such large powers to mortgage the future of the country, and while quitting might leave a legacy which would be serious and onerous. It would increase the burden of the national government which will then have to plan on a loaded beginning.

I wish also to call attention to the concluding part of the communiqué which is fraught with the gravest danger. It is stated that ‘unhealthy concentration of assets in the hands of a few persons or of a special community would be avoided. This may be secured by a judicious exercise of controls such as capital issues control and the licensing machinery for the regionalisation of industry.’ The origin of such suggestions is not far to seek. It can not be the object of any government (so long as the capitalist system exists even in a modified form) to create people who would be interested in or capable of developing the industries of the country. It can be understood that it should be the object of every government to control market prices when necessary and ensure just distribution. But that is a different proposition.

In any event in the hands of the government constituted as it is now the policy stated above is bound to be abused and will lead to a great deal of favouritism and corruption and, instead of serving the interests of the country at large, it will only create a special class like the contractors during the war regime.

I trust that the above criticism will be understood in the spirit in which it is meant, for it would be quite easy to misrepresent the purpose and object of this criticism. For instance, it would be easy to say that we are opposed to planning. But that would be quite wrong, almost dishonest, since during the short regime of the Congress we set up a committee for the purpose and it worked hard for quite a long time. What we object to is that the idea of planning should be for the purpose which will not serve the best interest of the country and in the hands of persons who can easily be facile, to say the least, what will happen is obvious. That is why I have thought it my duty to call the prompt attention of the country as well as the Government to various questions arising out of the policy enunciated in the communiqué.—API.

¹ See Appendix II for the Industrial Policy announced by the Government of India.



13. Without the Government Itself Being National, How Will Any Nationalisation Benefit the Country: M. Visveswaraya

M. Visveswaraya on Governments' Statement on Industrial Policy, Bombay, 9 May 1945
Bombay Sentinel, 10 May 1945.

According to the statement on Industrial Policy issued by the Government of India on 22nd April 1945 the Central Government have decided to avail themselves of the provisions of the 1935 Government of India Act and to take over 20 key industries from provincial control under their own direct supervision with a view to encourage and promote the rapid industrialisation of the country to the fullest extent possible.

Many of the changes proposed are important, some are very necessary, some seem good but can only be correctly judged when more details are available, others have evoked suspicion and have had a mixed reception. But when Government proceed to talk of nationalising certain key industries, people have begun to ask how any nationalisation of this kind can benefit the country without the Government itself being national.

The statement envisages many aspects of a truly sound industrial policy to which no exception can be taken. Several of these aspects such as the rapid spread of heavy industries and their regional distribution, have been frequently urged. We welcome the contemplated enquiry into the tariff policy and agree, in principle, to the nationalisation of industries like ordinance factories, public utility concerns, railways and bulk generation of electricity. Save in the case of certain classes of public utility concerns, practically all these have in the past been under Government control.

The transfer of responsibility for key industries to the Centre is not in itself an event to rouse enthusiasm. Experience shows under present political conditions not much co-operation or sympathy can be expected from the Central Government. To give one notable instance, during the early period of the war, the Bombay provincial Government had guaranteed interest on the capital required for an automobile industry but it was the Central Government which not only declined to grant facilities but actually killed the project. An immense number of motor trucks and cars were wanted for the war, and business leaders were keen on developing the industry. Had the Indian public been allowed to participate in the manufacture of trucks, the country would have made money, its engineers and technicians would have acquired experience and skill of special value to the country's industrial future. A rare opportunity for utilising the country's vast material resources and talent under the stimulus of war was lost, due to the disinclination of Government to encourage Indian industries.

This failure to get the Government order for motor trucks was not due to want of capacity either. An aeroplane factory suggested by the same group of Indian business that had sponsored the automobile scheme, was allowed to be proceeded with, on account of war exigencies. It was successfully constructed and brought into operation by an Indian Company with foreign technical aid. Later when the particular exigency which necessitated the step had passed away, the Company was relieved of its control and the factory converted into a jobbing shop. But that is however another story.

It was the Central Government again which while discouraging an Indian firm from ship-building, cabled congratulations to an Australian firm for supplying ships to the Government of India.

Furthermore the industrial picture in the Government statement is fragmentary and incomplete. No proper industrial structure is set up. There is no Department of Industries, no independent Member of the Viceroy's Council in charge, no statutory economic Council or other corporate

body to represent public opinion in the counsels of Government. The Bombay Industrialists Plan proposed a capital expenditure on Industries of Rs 4,480 crores in 15 years or Rs 790 crores in the first 5 years. No outlay of capital is mentioned in the Government statement, there is no indication what the magnitude of the country's effort should be or at what pace expansion should proceed.

A liberal expenditure, say an annual grant of Rs 6 crores for five years for associating both urban and rural populations with the investigation and preparations required for starting industries would have roused tremendous interest and helped industrialisation such as no other measure could have done. This need also has been out looked.

Government have suddenly awakened to the necessity of sending abroad large numbers of students for training in technical and professional subjects. If we are to profit by the experience and example of America and Russia, such training could be best arranged for in India itself by starting a large number of technical and vocational institutions required within the country itself. The number of graduates in technical subjects turned out in a year, in a single state like California in the United States of America, is larger than that produced by all the Universities in this country. It is sheer waste of money to send young men abroad if their training is only to qualify them to the foremen class in industry. With such an organisation, this sort of training can be given in India at a far less cost. Only picked men of superior qualifications should be sent for foreign training, to come out as instructors, or to develop into industrial leaders in due course.

There are two other grave omissions in the Government statement of policies for neither of which has any real justification been advanced. The absence of attention to the maintenance of statistics is a grave blot on the administration. Previous history of this omission shows that it has become a policy with Government not to maintain statistics. No explanation is given why this should be so. The only effect of the omission has been to keep out from public view the extraordinarily low production from industries and the abnormally great dependence of the population on agriculture, a dependence brought on by the loss, one by one, of other normal avenues of employment.

No statistics of unemployment are kept. For lack of estimates of per-capita income, vast regions are shrouded in darkness. Light only emerges from them when it turns red as it did in Bengal, and deaths in large numbers from destitution and starvation came into public view. The absence of production statistics makes this a truly benighted country.

The Planning and Development Department has been active no doubt but it seems all it could do has been to announce sound policies, good intentions and bright ideas. There is no sign that it has power or freedom to do anything more, any work effective or constructive to establish or promote industries. Controls there have been plenty. The work of collecting facts, collaboration between several Government Departments, investigations by policy committees and other activities have been going on for three four years. But the public cannot shut their eyes to the circumstances that there can be no planning without statistic, no development without constructive effort.

14. Resolutions of National Planning Committee, Bombay, 17 September 1945

Bombay Sentinel, 18 September 1945.

In view of the long period that has elapsed since the last meeting of the National Planning Committee and the vast change that have taken place due to war conditions and otherwise, it is desirable that the Committee should review afresh the objective for a planned economy and should issue directives to the sub-committees about future work. In considering this, the previous resolutions of the Planning

Committees as well as the various plans for national planning placed before the country should be reviewed with a view to speed up production and to organise distribution in such a way as to bring about the maximum increase in the standard of living of the people within a minimum period of time.

It is also necessary to prepare a factual statement of the changes that have taken place in the country and outside and their effect on any scheme of planned economy. Further, it is desirable to draw a list of priorities with the resources which may be available to us that may be taken up immediately with a view to meet the problems of varying urgency that are likely to confront the country in the immediate future.

These questions should be considered by the National Planning Committee at its next meeting to be held on November 6. Meanwhile, a sub-committee consisting of Dr John Mathai, Col Sokhey, Sir C.V. Mehta, Mr A.D. Shroff, Mr Manu Subedar, and Prof. K.T. Shah (Convener) is appointed to consider these questions and to report thereon to the next meeting of the National Planning Committee.

15. Nehru's Blue Print for a New India

Nehru's economic ideas elaborated during a talk with the editors in Bombay, 27 September 1945.

Selected Works of Jawaharlal Nehru, Vol. 14, pp. 302, 305; and *Hindu*, 29 September 1945.

We want rapid progress in India. I do not know what will happen to India unless there is rapid progress in her economic development. There must be a planned development. I have come to the conclusion that there must be, and there will be, socialistic planning. It seems to me that there will be a socialistic tendency in any programme.

Heavy industries together with mineral resources have been referred to as the key industries and should be owned by the state. It is likely that other industries will be left to private enterprise, but there should be a measure of control over them so that they would not interfere with state planning. The only problem of conflict will be between heavy industries and cottage industries. It is true to say that there is a difference in the philosophical attitude between the viewpoints of the cottage and the heavy industries. I do not see how we can raise the standard of life on a big scale without rapid industrialisation and without control to avoid overlapping and conflict of these two industries.

I think, for example, that the textile industry should be controlled by the state to prevent it from coming into conflict with the policy of the state in relation to cottage spinning industries. I should certainly have the textile industry controlled for that purpose.

The landlord system, in which small parcels of land are farmed under ownership of wealthy zamindars, must be ended. The abolition of the Permanent Settlement in Bengal and the Zamindari system is necessary. Compensation in some form and on some basis will have to be settled. It is going to be difficult for us in one sense to have co-operative farms all over India. They are necessary, but the problem is very different from that of the establishment of such farms in Russia, as the conditions are absolutely different. We shall naturally have to use a great deal of persuasion to establish such farms. Remember that one-third of India's land is not cultivated and while some of it cannot be cultivated a great deal of it can be. We can have co-operative farms and cultivation of such land that is at present remaining a waste, with little effort.



16. Gandhi–Nehru Correspondence on Economic Policy: October–November 1945

I. Gandhi to Nehru, 5 October 1945.

CWMG, Vol. 81, p. 319.

I have long been intending to write to you but can do so only today. I have also been wondering whether I should write in English or Hindustani. In the end I have decided to write in Hindustani.

I take first the sharp difference of opinion that has arisen between us. If such a difference really exists people should also know about it, for the work of *swaraj* will suffer if they are kept in the dark. I have said that I fully stand by that kind of governance which I have described in *Hind Swaraj*. It is not just a way of speaking. My experience has confirmed the truth of what I wrote in 1909. If I were the only one left who believed in it, I would not be sorry. For I can only testify to the truth as I see it. I have not *Hind Swaraj* in front of me. It is better that I redraw the picture today in my own language. Then it would not matter to me whether or not the picture tallies with that of 1909, nor should it to you. I do not have to establish what I had said before. What is worth knowing is only what I have to say today. I believe that if India, and through India the world, is to achieve real freedom, then sooner or later we shall have to go and live in the villages—in huts, not in palaces. Millions of people can never live in cities and palaces in comfort and peace. Nor can they do so by killing one another, that is, by resorting to violence and untruth. I have not the slightest doubt that, but for the pair, truth and non-violence, mankind will be doomed. We can have the vision of that truth and non-violence only in the simplicity of the villages. That simplicity resides in the spinning-wheel and what is implied by the spinning-wheel. It does not frighten me at all that the world seems to be going in the opposite direction. For the matter of fact, when the moth approaches its doom it whirls round faster and faster till it is burnt up. It is possible that India will not be able to escape this moth-like circling. It is my duty to try, till my last breath, to save India and through it the world from such a fate. The sum and substance of what I want to say is that the individual person should have control over the things that are necessary for the substance of life. If he cannot have such control the individual cannot survive. Ultimately, the world is made up only of individuals. If there were no drops there would be no ocean. This is only a rough and ready statement. There is nothing new in this.

But even in *Hind Swaraj* I have not said all this. While I appreciate modern thought, I find that an ancient thing, considered in the light of this thought looks so sweet. You will not be able to understand me if you think that I am talking about the villages of today. My ideal village still exists only in my imagination. After all every human being lives in the world of his own imagination. In this village of my dreams the villager will not be dull—he will be all awareness. He will not live like an animal in filth and darkness. Men and women will live in freedom, prepared to face the whole world. There will be no plague, no cholera and no smallpox. Nobody will be allowed to be idle or to wallow in luxury. Everyone will have to do body labour. Granting all this, I can still envisage a number of things that will have to be organised on a large scale. Perhaps there will even be railways and also post and telegraph offices. I do not know what things there will be or will not be. Nor am I bothered about it. If I can make sure of the essential thing, other things will follow in due course. But if I give up the essential thing, I give up everything.

The other day, at the final day's meeting of the Working Committee, we had taken a decision to the effect that the Working Committee would meet for two or three days to work out this very thing. I shall be happy if it meets. But even if it does not meet, I want that we two should understand each other fully. And this for two reasons. Our bond is not merely political. It is much deeper. I

have no measure to fathom that depth. This bond can never be broken. I therefore want that we should understand each other thoroughly in politics as well. The second reason is that neither of us considers himself as worthless. We both live only for India's freedom, and will be happy to die too for that freedom. We do not care for praise from any quarter. Praise or abuse are the same to us. They have no place in the mission of service. Though I aspire to live up to 125 years rendering service, I am nevertheless an old man, while you are comparatively young. That is why I have said that you are my heir. It is only proper that I should at least understand my heir and my heir in turn should understand me. I shall then be at peace.

One thing more. I had written to you about Kasturba Trust and Hindustani. You had said you would write after thinking things over. I find that your name is already figuring in the Hindustani Sabha. Nanavati reminded me that he had approached you and Maulana Saheb and that you had appended your signature. That was in 1942. That was long ago. You know where Hindustani stands today. If you still stand by that signature, I wish to get some work out of you in this regard. It will not involve much running about, but some work will be called for.

The work of Kasturba Memorial Trust is rather complicated. I realise that if what I have said above is going to irk you or is irking you, you will not feel comfortable even in the Kasturba Trust.

The last point concerns the sparks that are flying about in the conflict with Sarat Babu. I have been pained by the episode. I have been unable to trace it to its root. If what you have told me is all there is to it and nothing more remains to be said, then I do not have to inquire further. But if an explanation seems necessary, I very much want to hear it.

If we have to meet to thrash out all these matters, then we should find time for a meeting.

You are working very hard. I trust you are in good health and Indu is well.

Blessings from
Bapu

II. Nehru to Gandhi, 9 October 1945¹

Selected Works of Jawaharlal Nehru, Vol. 14, p. 554.

My dear Bapu,

Allahabad
October 9, 1945

I have received today, on return from Lucknow, your letter of the 5 October. I am glad you have written to me fully and I shall try to reply at some length but I hope you will forgive me if there is some delay in this, as I am at present tied up with close-fitting engagements. I am only here now for a day and a half. It is really better to have informal talks but just at present I do not know when to fit this in. I shall try.

Briefly put my view is that the question before us is not one of truth versus untruth or nonviolence versus violence. One assumes as one must that true co-operation and peaceful methods must be aimed at and a society which encourages these must be our objective. The whole question is how to achieve this society and what its content should be. I do not understand why a village should necessarily embody truth and nonviolence. A village, normally speaking, is backward intellectually and culturally and no progress can be made from a backward environment. Narrow-minded people are much more likely to be untruthful and violent.

Then again we have to put down certain objectives like a sufficiency of food, clothing, housing, education, sanitation, etc. which should be the minimum requirement for the country and for everyone. It is with these objectives in view that we must find out specifically how to attain them speedily. Again it seems to me inevitable that modern means of transport as well as many other modern developments must continue and be developed. There is no way out of it except to have

them. If that is so inevitably a measure of heavy industry exists. How far will that fit in with a purely village society? Personally I hope that heavy or light industries should all be decentralised as far as possible and this is feasible now because of the development of electric power. If two types of economy exist in the country either there should be conflict between the two or one will overwhelm the other.

The question of independence and protection from foreign aggression, both political and economic, had also to be considered in this context. I do not think it is possible for India to be really independent unless she is a technically advanced country. I am not thinking for the moment in terms of just armies but rather of scientific growth. In the present context of the world we cannot even advance culturally without a strong background of scientific research in every department. There is today in the world a tremendous acquisitive tendency both in individuals and groups and nations, which leads to conflicts and wars. Our entire society is based on this more or less. That basis must go and be transformed into one of co-operation, not of isolation which is impossible. If this is admitted and is found feasible then attempts should be made to realise it not in terms of an economy which is cut off from the rest of the world but rather one which co-operates. From the economic or political point of view an isolated India may well be a kind of vacuum which increases the acquisitive tendencies of others and thus creates conflicts.

There is no question of palaces for millions of people. But there seems to be no reason why millions should not have comfortable up-to-date homes where they can lead a cultured existence. Many of the present overgrown cities have developed evils which are deplorable. Probably we have to discourage this overgrowth and at the same time encourage the village to approximate more to the culture of the town.

It is many years ago since I read *Hind Swaraj* and I have only a vague picture in my mind. But even when I read it 20 or more years ago it seemed to me completely unreal. In your writings and speeches since then I have found much that seemed to me an advance on that old position and an appreciation of modern trends. I was therefore surprised when you told us that the old picture still remains intact in your mind. As you know, the Congress has never considered that picture, much less adopted it. You yourself have never asked it to adopt it except for certain relatively minor aspects of it. How far it is desirable for the Congress to consider these fundamental questions, involving varying philosophies of life, it is for you to judge. I would imagine that a body like the Congress should not lose itself in arguments over such matters which can only produce great confusion in people's minds resulting in inability to act in the present. This may also result in creating barriers between the Congress and others in the country. Ultimately of course this and other questions will have to be decided by representatives of free India. I have a feeling that most of these questions are thought of and discussed in terms of long ago, ignoring the vast changes that have taken place all over the world during the last generation or more. It is 38 years since *Hind Swaraj* was written. The world has completely changed since then, possibly in a wrong direction. In any event any consideration of these questions must keep present facts, forces and the human material we have today in view, otherwise it will be divorced from reality. You are right in saying that the world, or a large part of it, appears to be bent on committing suicide. That may be an inevitable development of an evil seed in civilisation that has grown. I think it is so. How to get rid of this evil, and yet how to keep the good in the present as in the past is our problem. Obviously there is good, too, in the present.

These are some random thoughts hurriedly written down and I fear they do injustice to the grave import of the questions raised. You will forgive me, I hope, for this jumbled presentation. Later I shall try to write more clearly on the subject.

About the Hindustani Prachar Sabha and about the Kasturba Fund, it is obvious that both of them have my sympathy and I think they are doing good work. But I am not quite sure about the manner of their working and I have a feeling that this is not always to my liking. I really do not know enough about them to be definite. But at present I have developed a distaste for adding to my burden of responsibilities when I feel that I cannot probably undertake them for lack of time. These next few months and more are likely to be fevered ones for me and others. It seems hardly desirable to me, therefore, to join any responsible committee for form's sake only.

About Sarat Bose, I am completely in the dark as to why he should grow so angry with me, unless it is some past grievance about my general attitude in regard to foreign relations. Whether I was right or wrong it does seem to me that Sarat has acted in a childish and an irresponsible manner. You will remember perhaps that Subhas did not favour in the old days the Congress attitude towards Spain, Czechoslovakia, Munich and China. Perhaps this is a reflection of that old divergence of views. I know of nothing else that has happened.

I see that you are going to Bengal early in November. Perhaps I may visit Calcutta for three or four days just then. If so, I hope to meet you.

You may have seen in the papers an invitation of the President of the newly formed Indonesian Republic to me and some others to visit Java. In view of the special circumstances of the case I decided immediately to accept this invitation subject of course to my getting the necessary facilities for going there. It is extremely doubtful if I shall get these facilities, and so probably I shall not go. Java is just two days by air from India, or even one day from Calcutta. The Vice-President of this Indonesian Republic, Mohammad Hatta, is a very old friend of mine. I suppose you know that the Javanese population is almost entirely Muslim.

I hope you are keeping well and have completely recovered from the attack of influenza.

Yours affectionately,
Jawahar

¹ The dates in this letter and the previous one have been referred to as 4 October and 2 October, respectively, in the publication *Selected Works of Jawaharlal Nehru* Vol. XIV, p. 554. The original correspondence, carrying the dates mentioned in the documents printed here, are available in NMML.

III. Gandhi to Nehru, 13 November 1945

CWMG, Vol. 82, p. 71.

Poona
November 13, 1945

Jawaharlal

I was very happy with our talks yesterday. We could not have discussed more yesterday and it is my view that we shall not be able to finish our work at a single sitting. We must meet from time to time. I am so made that if I had the strength to travel about, I would seek you out, stay with you for a day or two, have some talk and then leave. Though I am not in a position to do that now, you may know I have done such things before. I want that people should know us as we know each other. If in the end we find that our paths are different, then so be it. Our hearts will still remain one, for they are one. The talks we had yesterday have given me the impression that there is not much difference in our outlooks or the way we understand things. I want to tell you how I have understood you. If there is any difference you will let me know.

- (1) The crucial question according to you, is how to ensure man's mental, economic, political and moral development. That is my position too.

- (2) And in doing so every individual should have equal right and opportunity.
- (3) From this point of view there should be equality between villages and cities. And therefore their food and drink, their way of life, their dress and their habits should be the same. If such a condition is to be brought about people should produce their own cloth and food and build their own houses. So also they should produce their own water and electricity.
- (4) Man is not born to live in the jungle; he is born to live in society. If we are to make sure that one person does not ride on another's back, the unit should be an ideal village or a social group which will be self-sufficient, but the members of which will be interdependent. This conception will bring about a change in human relationship all over the world.

If I have understood you correctly up to here, I shall take up the second part. I have had Rajkumari translate the letter which I wrote to you earlier. I am getting this also translated and will send the translation along with this. It serves two purposes by getting the letters translated. First I can explain to you more clearly in English what I want to say and secondly I shall be able to know better whether I have understood you fully or not.

Blessings to Indu.

Blessings from
Bapu

17. Resolutions of National Planning Committee on Sterling Balance, Dollar Pool and Others

A brief account of the Proceedings of the Seventh Session of the National Planning Committee held from 8–10 November 1945.

The Report, National Planning Committee (1949).

A meeting of the National Planning Committee was held at 2.30 p.m. which lasted till 6.15 p.m. on the 8th November 1945; on Friday the 9th November 1945 at 9.30 a.m. to 1.30 p.m. and on Saturday the 10th November 1945 at 9.30 a.m. to 1.30 p.m. The Chairman and Secretaries of the Sub-Committees were also present at these meetings. Mr J.R.D. Tata, Dr John Mathai and Mr N.V. Phadke were present by special invitation.

The report of the Hon. Gen. Secretary on the informal meetings of September 12 and 17 was read and adopted; and the decisions taken at those informal meetings of the Planning Committee were confirmed.

The Committee considered the report of the Sub-Committee on Developments and Priorities appointed at the informal meeting of the 17th September last, paragraph by paragraph. After full and detailed consideration the Report was adopted with changes and modifications suggested at the meeting and accepted.

It was resolved to incorporate the changes made in the Report and issue directives to Sub-Committee on the lines of this Report as altered in the Committee meetings. The Committee then took up certain propositions concerning matters which vitally affected the general policy of National Planning. A Sub-Committee consisting of Mr A.D. Shroff and the Hon. Gen. Secretary was appointed on the 9th November to revise the draft of the motions on Sterling Balance, the Dollar Pool, and Scrapping and Disposal of surplus war plants or war-time industries; while Dr Mathai was requested to prepare a draft resolution on the investment of Foreign Capital in India, and the Chairman to prepare another on the utilisation of war-time camps, etc.

These drafts were considered on Saturday and after considerable discussion and some modifications, the following resolutions were passed:

The National Planning Committee takes note of the accumulation of enormous credit balances due to India, kept in London, in Sterling; that these balances are not convertible into hard currencies which can be utilised for India's own immediate needs of industrialisation and general economic development for purchases in countries other than those in the sterling area, that accumulation of these balances in sterling has led to a new and more objectionable type of imperial preference and excludes India from markets in countries other than those in the sterling area. These balances have arisen out of the ordinary supply of goods and services, provided from this country to a large extent depriving here nationals of their primary needs, to aid Britain in her war effort, and are in addition to the equally enormous contribution obtained by the British Government from (the Government of India) in the shape of additional war expenditure far in excess of India's capacity, charged to this country. The goods and services, which these balances represent, were and are being obtained from India mostly at controlled prices, so that the suggestions now being made in certain British quarters about the amount of these balances being inflated, in real values, twice or thrice because of the rise in prices, are in contradiction to the actual facts of the situation, as recorded and admitted by a Parliamentary Committee which recently investigated into the subject. The suggestion, therefore, that the amount be scaled down is unwarranted in justice and in fact. The Committee accordingly demand that without any further delay every effort must be made for an immediate settlement of this problem with a view to an early realisation, as the continued increase in the balances tends to render the ultimate settlement more and more difficult. The Committee are of opinion that at least a partial liquidation of these balances should be immediately effected through a mobilisation and acquisition of British owned assets in India by the British Government into rupee equivalent. The Committee also record their opinion that any settlement of these balances, which would involve undue sacrifice of India's just claims, will not be acceptable.

The National Planning Committee note with concern that a large amount, due to India, is locked up in the Empire Dollar Pool, built up from the sale of goods and services by this country to the United States. This fund is yet unavailable for India's urgent demands to finance Indo-American trade, and towards the intensive industrialisation of the country. The National Planning Committee urge that, without prejudice to India's right to demand a full account of the origin, growth and utilisation of this Dollar Pool, all further accumulation in the Pool be immediately stopped; and that every Dollar earned by India from now onward by the sale of her goods and services abroad be credited and made available to India. The Committee further demand that a clear and complete account be published of the transactions in the Dollar Pool as early as possible to determine what share thereof belongs to India, so that it may be restored to her. In this connection, the National Planning Committee takes note of the stipulations reported to have been made by the United States while offering financial assistance to the United Kingdom, which indirectly affect these dues. The Committee warns the authorities concerned that no arrangements made between the present Government of India and the British Government, or any other party, which would prejudicially affect these dues as well as the prospects for industrialisation and economic development of this country, will be acceptable to the Indian people.

The National Planning Committee have considered the urgent problem of the utilisation and disposal of factories established in connection with the war, which may no longer be required for India's defence purposes. The Committee consider it important that this surplus plant and machinery should not be scrapped or dismembered, but should be utilised for the industrial development of the country. In order to ensure that such plant and machinery are utilised in the most efficient manner, a Committee of Experts be appointed to consider the way and means of their conversion

to peace-time use. In no case should this equipment be transferred to non-Indian ownership or management.

The National Planning Committee are of opinion that a stage has now arrived in the economic evolution of India when the investment of foreign capital in Indian enterprise should receive urgent consideration with reference to its bearing on the future political as well as economic development of the country. They have accordingly given special attention to this problem in the course of their enquiry and have arrived at the following conclusions:

The investment of foreign capital in Indian agricultural, mineral and industrial concerns since the establishment of British rule, has resulted in the acquisition by foreign interests of a measure of control over India's economic and political life which has both warped and retarded national development.

It is important that the case of key industries, involving the use of secret processes which would not otherwise be available to the country, foreign participation in ownership and management may be permitted. Such participation should be subject to the approval of the State, which will lay down the conditions and limitations to safeguard adequately Indian National interest.

It is possible in view of India's vast capital requirements in the coming years, that she may need capital from other countries. It is not, however, in her interest to accept it, if it is required for essential industries, except in the shape of loans, or credits, raised by or through the State.

In order to enable India to plan her economic development on lines that would ensure and promote the best interests of the country, the special statutory safeguards provided in the Government of India Act, 1935, in respect of non-Indian concerns should forthwith be repealed.

It is essential that foreign interest which now exercise a predominant control over certain vital industries in India, particularly those involving the utilisation of scarce natural resources, should be acquired by the State on payment of reasonable compensation.

Where such interests are held by Companies with sterling capital, the payment of compensation should be effected by means of the sterling balances now held by India. The question of the employment of sterling balances for this purpose should, therefore, be taken up immediately for examination.

The National Planning Committee are of opinion that the large number of training camps, transit camps, rest camps, hospitals and dispensaries, farms and dairies, store sheds and other buildings, which were constructed for the purposes of the war and are no longer required by the military, should be utilised now for objects of public benefit. These buildings and equipment can be used with suitable alterations where necessary, for housing purposes, educational establishments, cooperative societies, hospitals, libraries, reading rooms, sanatoria, health centres, recreation rooms, gymnasia, granaries and in-numerable other purposes. They can thus be made to help in many ways in the initial stages of planning, especially in improving village life and rehabilitating many of our villages.

It was resolved to reconstitute the under mentioned sub-committees as follows:

Crop Planning and	Mr B.S. Patel (Chairman)
Production	Mr S.P. Agharkar (Secretary)
Transport Service	Mr M.A. Master (Chairman)
	Mr N.V. Modak (Secretary)
National Housing	Mr S.B. Joshi (Secretary)

It was resolved next that a coordinating Sub-Committee be appointed to consider particularly the more urgent problems of food, housing and education especially literacy and recommend specific schemes. The Chairman was authorised to appoint this Sub-Committee.

18. Guidelines to Sub-Committee of National Planning Committee

Note for the Guidance of Sub-Committees of the National Planning Committee by K.T. Shah, General Secretary, National Planning Committee.

The Report: National Planning Committee (1949).

1. The National Planning Committee has been entrusted with a task which is vast in its scope, vital in its significance and intimately connected with the progress and future well-being of the people of this country. In order to have the fullest assistance and co-operation of others in this task, the Committee has appointed a number of sub-committees consisting of eminent and distinguished experts in various fields of national activity. Planning is a much used word in the world today; yet in India this is the first attempt to plan on a national basis and to coordinate the manifold activities of the nation. Many fundamental questions arise as to the nature of this Planning, the objective in view and the methods to be adopted. Final decisions on most of these questions will have to be taken at a later stage by the Planning Committee and the ultimate acceptance of those decisions and their application will lie with the representatives of the people. But there cannot even be an approach to planning without some clarification of the objectives and the methods to be employed.

2. The Chairman of the Planning Committee in a Memorandum which he presented, drew the attention of the Committee to some of the guiding principles and objects which should govern national planning. A copy of this Memorandum is attached to this note and the particular attention of all members of sub-committees is invited to it. This note has been prepared in further amplification of the Chairman's Memorandum for the guidance of the sub-committees. It is of the essence of planning that there should be coordination between various activities, and it thus becomes necessary that the various sub-committees should have a common purpose governing their outlook and should cooperate together in building a National Plan which is an organic whole, each part of it having its proper place and fitting in with the other parts.

3. What is planning? Planning under a democratic system may be defined as the technical coordination, by disinterested experts, of consumption, production, investment, trade and income distribution in accordance with social objectives set by bodies representative of the nation. Such planning is not only to be considered from the point of view of economics and the raising of the standard of living, but must include cultural and spiritual values and the human side of life.

4. Such a plan thus requires a social objective and the power and authority to give effect to the Plan. If this power is limited in any way or there are other restrictions, political or economic, which come in the way of the working out of the Plan, no comprehensive planned economy can develop. Real planning can only take place with full political and economic freedom, and a national plan must therefore be based on Indians having sovereign authority. At the same time, in view of present circumstance prevailing in the country, and the restrictions that have been imposed upon us, the Plan must also indicate what is immediately feasible and what steps should be taken, even under existing conditions, to work towards the realisation of the Plan and to secure the fullest possible utilisation of the national resources for raising the standard of life. Such steps must be in keeping with the scheme of a planned economy, and in no event must anything be done which might come in the way of that Plan.

5. There is a large measure of agreement in the country about our social objectives and yet there are vital differences also. It is possible that many of these differences might be resolved as a result of this enquiry. To some extent these objectives have been indicated by the Indian National Congress in a number of resolutions and by the general policy it has pursued. We must adhere to this general policy and keep these objectives in view. Reference has been made to these in the Chairman's Memorandum.

6. The Congress has laid stress for many years on the development of cottage industries and has sought to direct the attention of the country to the condition of the villagers. We cannot forget that emphasis or ignore the fact that all progress in India must be measured in terms of raising the standards of India's millions. An apparent conflict has arisen in the minds of some between the claims of cottage industries and those of large scale industries. This conflict is largely one of emphasis. It is clear that in India today the development of cottage industries on a vast scale is essential for the well being of the masses. It is equally clear that the rapid development of large scale machine industry is an urgent need of the country. Without industrialisation no country can have political or economic freedom, and even cottage industries cannot develop to any large extent if economic freedom is absent. Without industrialisation also the rapid and effective raising of the standard of the people is not possible. Key industries, Defence industries and Public Utilities must be developed on a large scale. Even the development of cottage industries is helped greatly by the supply of cheap power and suitable machinery for cottage use which are obtainable from the working of large-scale enterprises. To some extent handicrafts and large scale industrial enterprises are complementary to each other. The problem before the country, therefore, is one of coordinated growth in both directions and the avoidance, so far as is possible of conflict between cottage industry and large scale industry.

7. The emphasis of the Congress on cottage industries is chiefly due to its desire to have a more equitable system of distribution and to avoid the evils that have resulted from indiscriminate and uncontrolled industrialism. Distribution is the vital cornerstone of any planned economy and the evils of industrialism can and should be avoided if there is an equitable system of distribution. In the National Plan for India a proper scheme of distribution must therefore be considered as essential.

8. The resolution of the Delhi Conference of Ministers of Industries which led to the formation of the National Planning Committee, is a clear direction to the Committee to hasten industrialisation, and calls for the development of heavy key industries, medium scale industries and cottage industries. These are the terms of reference of this Committee. It should be further remembered that the Congress had laid down in its resolution of Fundamental Rights that, 'That State shall own or control Key Industries and Services, Mineral Resources, Railways, Waterways, Shipping and other means of Public Transport'.

9. The principal objective of planning the national economy should be to attain, as far as possible, national self-sufficiency and not primarily for purposes of foreign markets. This does not exclude international trade, which should be encouraged but with a view to avoid economic imperialism. The first charge on the country's produce, agricultural and industrial, should be to meet the domestic needs of food supply, raw materials and manufactured goods. But outlets for surplus goods may be exploited to meet the requirements of India's international indebtedness.

10. The fundamental aim to be kept in view is to ensure an adequate standard of living for the masses. An adequate standard of living implies a certain irreducible minimum plus a progressive scale of comforts and amenities. Estimates of economists in different parts of India put down this irreducible minimum at figures varying from Rs 15 to Rs 25 per capita per month in the present value of the rupee. The expression in terms of money is only used for the sake of convenience, the real measure being in terms of goods and services. An approximate estimate put the average annual income per capita at Rs 65. This includes the rich and the poor, the town-dweller and the villager. The average of the villager is estimated to be somewhere between Rs 25 and Rs 30 per annum per capita. This implies not only a considerable deficit in food supply, but also in other essential requirements of human existence. The national income must, therefore, be increased greatly during the next ten years to ensure an irreducible minimum standard for everybody. In

order to secure this minimum standard, not only will it be necessary to increase production but also to bring about a more equitable distribution of wealth.

11. A really progressive standard of life will necessitate the increase of the national wealth five or six times. But for the present the minimum standard which can and should be reached is an increase of national wealth of between two and three times within the next ten years. It is with this object in view that we should plan now.

12. Planned advance has to be measured by certain objective tests from year to year. These may be laid down as follow:

- (i) The improvement of nutrition from the standard of an irreducible minimum requirement of proteins, carbohydrates and minerals (as well as necessary protective foods) having a calorific value of 2,400 to 2,800 units for an adult worker.
- (ii) The improvement of clothing from the present consumption of about 15 yards on an average to at least 30 yards per capita per annum.
- (iii) Housing standards to reach at least 100 sq. ft. per capita.

13. Viewed from another standpoint the following indices of progress should be borne in mind:

- (i) The increase in agricultural production;
- (ii) The increase in industrial production; To meet at least the requirements laid down in 12(i) and (ii) above.
- (iii) The diminution of unemployment;
- (iv) The increase in per capita income;
- (v) The liquidation of illiteracy;
- (vi) The increase in public utility services;
- (vii) Provision of medical aid on the basis of one health unit for 1,000 population
- (viii) The increase in the average expectation of life.

Statistical data have to be collated and compared with a view to measure the progress of the Plan from time to time. The development of statistical work will be necessary to keep pace with the development of planning.

14. The different sectors of the Plan have necessarily to be coordinated. The essence of planning is an advance on all fronts. There must be agricultural planning the object being that the country should be at least self-sufficient as regards food stuffs measured in terms of the food index given above, and as regards the quantity of raw materials, this should be raised by a pre-determined percentage. Soil conservation, afforestation, grass land management, flood control and river management and improvement of inland navigation and transport, improvement of live stock and fodder supply, are items in the planned programme which have not yet been taken up systematically. Power development and the conservation and development of coal and other kinds of fuel for industrial power also demand planning. More important is the planning of different kinds and types of industries, large, medium and cottage, which alone may effectively mitigate the present pressure of population on the soil. Within a decade the aim should be to produce a balanced economic structure in which about half the population would depend on agriculture.

15. Education, general and vocational, and developmental research also have to be included in a planned programme. The place and organisation of public services should be in keeping with the requirements of the Plan.

16. No planning can succeed if the rate of economic progress is outrun by the rate of increase in population. In the planned economy of India emigration shall not be based on the deliberate policy of developing population so as to create a surplus to settle in other countries but such

surplus may be allowed to emigrate through agreements with other countries with due regard to the rights of such settlers in those parts.

17. A ten year limit for the accomplishment of the Plan with control figures for different periods and different sectors of economic life should be laid down.

18. Defence industries should be owned and controlled by the State: Public Utilities could be owned or controlled by the State but there is a strong body of opinion which is in favour of the State always owning Public Utilities. Other key industries should be owned or controlled by the State.

19. Other conditions, such as availability of raw materials and resources and ready access to large consuming centres, being equal, special attention should be devoted in the Plan to the development of industrially backward regions. In recommending the distribution of the several industries all over the country, care should be taken to see that full opportunity is available to every Province and State to develop, as far as possible, its raw materials, employ its labour, and invest its capital.

20. Labour legislation and codes, health, sickness and unemployment insurance, national housing and social welfare schemes will have to be coordinated with the Plan. The Provinces and States will initiate these, but the National Planning Commission should lay down the general policy governing the minimum standard of wages and the employment of labour.

21. Provinces vary in capital resources and in the capacity for industrial experimenting and pioneering. It will be desirable for them to work through the National Planning Committee with its appropriate adjuncts.

22. As regards way and means for a planned economic development in general the credit of the provincial and central Governments should be fully utilised to raise necessary finance, and the investment policy of the banking and insurance institutions of the country will have to be changed in order to further industrial planning. Re-organisation and control of the currency system are essential for economic recovery.

23. A complete scheme of planned economy is a vast undertaking requiring full information and data and the willing co-operation of the technical experts, industrialists, administrators and the public at large. It is a progressive scheme being continually adjusted to changing conditions and always taking advantage of the experience gained in its working. The National Planning Committee is obviously not in a position to draw up such a complete scheme nor does it intend to do so at this stage. What is intended now is to lay the foundation of a planned economy on which the future structure can be built. But even at this stage the full picture must be envisaged, a complete outline drawn up, which can be filled in later as opportunity comes and further materials are available. India is one of the very few countries in the world which has practically all the resources within its borders of building up a planned system.

24. The Committee therefore proposes to proceed on the existing data, or on such materials as can easily be obtained and to draw up a broad outline picture.

It is hoped to present early next year a preliminary report which can be the basis for the next stage of planning. The sub-committees are requested to bear this in mind as the time factor is important. All the sub-committees should send their reports to the National Planning Committee by the 31st December 1945 at the latest. It is hoped, however, that such sub-committees as can do so will send their reports by the 31st December or earlier.

25. A schematic outline of national planning is appended herewith.

To

The Members, National Planning Committee, and Chairmen and Secretaries of the Sub-Committees

Dear Friend,

As you may be aware, the National Planning Committee held its full and formal sessions on the 8th, 9th and 10th November 1945, at Bombay. At these sessions the report of the Sub-Committee, appointed to consider the changes and developments that had taken place during the war years, which affected the work of planning, as also to suggest certain specific matters of urgent importance was considered.

After careful and detailed consideration of that Report the Planning Committee resolved to embody its substance in fresh directives or further instructions to the Chairmen and Secretaries of the various Sub-Committees. You will accordingly find appended herewith further instructions, which, in so far as they concern the reference made to your Sub-Committee, should be taken into account before the report presented by your Sub-Committee is finalised.

Where any Sub-Committee has not presented or even prepared its Report, the undersigned requests that these instructions be also taken into account, along with those issued in 1939 which will be found in pages 77-82 of Hand-book I.

The National Planning Committee has resolved that the Sub-Committees be requested, finally, to revise and bring up to date their reports which have been submitted, either as interim or final, not later than the middle of February next. Those Sub-Committees which have not yet submitted any Report are requested, within the same time limit, to prepare and submit the same for consideration by the main Committee at their next meeting.

The Committee consider that it would be needless expenditure of time if such Sub-Committee see, at this stage, to convene meetings of all their members for drafting, considering or revising their report. It is, accordingly suggested that the revision and bringing up to date of reports already submitted, as well as the preparation and completion of the reports in cases where no work has been done so far, be taken up as the task of the Chairman and Secretary concerned of the Sub-Committee concerned. Should they think it proper, and if time permits, their reports may be circularised to other members of their Sub-Committee; and their views or concurrence, obtained by correspondence. In any case the report must be in the hands of the undersigned not later than the date mentioned above.

If in any case the Chairman and Secretary concerned desire assistance or explanation from this office they are requested to write as soon as possible, and state their requirements. The undersigned will do all he can to meet the same.

At the cost of repetition he would earnestly impress upon the Sub-Committees to do their utmost to expedite their reports so as to enable the Planning Committee to complete its work within the time limit they have set for themselves.

University Building
Ground Floor, North Wing
Bombay: 17-11-45

Yours sincerely,
K.T. Shah
Hon. Gen. Secretary.



19. Scaling Down of Sterling Balance: G.D. Birla to
Purshotamdas Thakurdas, 18 November 1945

P. Thakurdas Papers, File No. 55, NMML.

You remember I had promised to send you a note about the accumulated sterling balances which I thought were going to accumulate further. Recently I had a talk with Sir Archibald Rowlands and he told me that there was no possibility of any further accumulation. In view of this, all that we have to worry about is the past and this could only be discussed after some agreement between America and England is arrived at.

But there is one thing which, in my opinion, the directors must take up with the Reserve Bank and through it with the Government of India. For instance, there is a talk of scaling down of sterling balances. Surely, no authority has any right—at least moral right—to take any unilateral action. I dare say nothing of the kind will happen without mutual agreement, but this is a question on which the directors must make their position clear.

The second point is about the loan that is proposed to be granted by America to Britain a part of which may be reserved for the sterling area, which means also for India.

I enclose herewith copy of a cable that *Eastern-Economist* has received from its correspondent which will interest you. It is amazing that India's position should be decided by any two parties without any reference to India herself. I personally feel that on this question also the directors of the Reserve Bank must tell the Government of India that in all these matters no unilateral decision could be taken by any party without India's consent. After the Anglo-American agreement, England should negotiate with India on all these matters. For this, the Government need not wait until the elections are over. But they should invite the Congress and the League to participate in these negotiations since it is these parties who will have to ratify the agreement.

Enclosure No. 1 to Birla's letter to Thakurdas, 18 November, Cable from Eastern Economist Correspondent.

(1) The Resolution of the Central Board passed in February 1943 recommended to Government with a view to safeguarding the value of the sterling assets and arranging for their utilisation to India's best advantage.

- (i) 'That they draw up in consultation with business and commercial opinion in the country a considered programme of development and reconstruction for India for the post-war period and frame in connection therewith as approximate an estimate as is possible of her requirements of capital and other goods and the sources from which they can be most speedily and suitably secured, and
- (ii) That they concert with HMG equitable safeguards for ensuring that these assets, or their equivalent in foreign currency, will be available to India on a basis which will not involve a loss to India in the value of the accumulated sterling.'

(2) The time has now come when these recommendations should be implemented forthwith.

Now that the war has ended the necessity and justification for the Empire Dollar Pool have ceased to exist. In any case there can be no justification for compelling India to continue to be in the Pool and we would urge strongly that India should be released from membership of the Pool. In the second place, further accumulations of blocked sterling should cease. All further current exports should be paid for in the normal way through current imports or through convertible foreign exchange. This is of immediate urgency, as at least some of our requirements may be met normally without having to wait upon Britain's decisions.

(3) Arrangements for unfreezing blocked sterling should be immediately taken on hand between HMG and the Government of India through non-official representatives. They should secure two ends. In the first place negotiations should be opened immediately between Indian and British representatives of industry under the auspices of the Governments of both countries with a view to outlining a definite plan in the next five years by which India's requirements of capital and other goods may be met in a definite and orderly manner from Britain, and if possible from empire and other sterling area countries. India should be assured of certain and regular supplies.

(4) In the second place adequate provision should be made by which sufficient dollars and other hard currency are made available during the next five years for purchase of capital goods and equipment which cannot be had through sterling directly by purchase in Britain or indirectly through purchases in empire and other sterling area countries. The amount required for the purpose will depend of course upon the nature and quantum of India's requirement and the capacity of Britain and other sterling area countries to supply India's needs.

(5) Thirdly, a long-range plan of funding the sterling debt over a period of years should be framed which will take into account India's reconstruction and planning needs and Britain's capacity for recovery.

(6) Reports are current that quotas are assigned from out of the loan granted by US to Britain outlining the share of the dollar loan to be allocated to each of the countries that have accumulated sterling assets with Britain. In the determination of such share or allocation, India should be consulted, and no plan will be acceptable to her which fails to assign to India a share in the proportion which per share of the sterling balances bears to the total.

(7) The ban on borrowing from US or other countries should also be immediately lifted. India may need large loans from USA for her development programme. Her credit is high and she can borrow on liberal terms. Unless the restrictions now imposed on foreign borrowing are removed, her economic development would be impeded.

(8) The resolution of the Board requires that India's sterling assets should be safeguarded against a fall in value. The only way in which this could be secured is that they should be convertible to gold or dollars at pre-determined rates of exchange. In the alternative, assurance should be given that no alteration in the sterling-dollar rate of exchange will be effected without consulting India through her accredited representative.

Enclosure No. 2 to Birla's letter to Thakurdas, 18 November 1945—Copy of Cable received by Eastern Economist

Although Major Attlee's Mission is described as having to do solely with atomics, no one now expects he will leave Washington without going into matter of finance and commerce. Anglo-American negotiations were hastened last week in the effort to complete them before the Prime Minister arrived, but the efforts were unsuccessful. Secretary of State, Mr Byrnes, had told the press that the agreement would not be 'impossible', but in his view it was not at hand at the week end. The chief obstacle now said to delay the agreement is of foremost interest to India. It is reported that the conferences have not been able to agree upon the serving of the credit proposed to be earmarked for the sterling area. According to reliable information, the figure tentatively agreed upon for the loan is 4.5 billion dollars to be divided thus: 2 billion to United Kingdom, 2 billion to the sterling area and half a billion for retiring debt on goods received from America following the termination of lend-lease. Credit apportioned to sterling area would be used to release about 2 billion dollars of total of 14 billion worth of blocked sterling. It is understood that United States proposes to charge 2 per cent interest rate on the loan after moratorium for the first five years, but whereas Britain might agree to 2 per cent upon credits directly useable by the

United Kingdom, she maintains that amounts allocated to the sterling area would benefit her in no way and consequently she should be charged no interest thereon. It is understood that in allocations of the credit tentatively discussed, India might get about 12 per cent of the two billion dollars assigned to the sterling area. The British negotiators contend that the sterling area would spend its share in the United States, just as United Kingdom would, but with this difference that the United Kingdom would receive no benefit in goods received as far as the expenditures of the sterling area are concerned. There is also reported to be disagreement on the United States' proposed waiver clause under which interest payments would be suspended in any year that an impartial financial tribunal determines that Britain has an unfavourable trade balance. The British, recalling the bad feeling which occurred between the wars because of defaults prefer to agree upon an interest rate which they feel can be maintained consistently after the five year moratorium. In any event there have been urgent exchanges between the British Treasury in London and the British Delegation in Washington, with increasing optimism in British quarters here that the termination of negotiations is not too far distant. Simultaneously, negotiations on commercial matters have been proceeding and there are well-founded reports that the British Delegates have accepted in principle the international Trade Charter by the State Department as a basis for discussion at the International Trade and Employment Conference next spring. It is expected that this charter will be made public.

This week it is reported to give expression to those ideals set forth in the Atlantic Charter and the United Nations Declaration. It probably will set forth that nations adhering to it undertake to eliminate or control cartels, reduce tariffs and relax restrictions such as Empire Preferences and export and import quotas.

20. M. Visvesvaraya on Economic Development

Presidential Address to the Sixth Annual Session of the All India Manufacture's Organisation Conference at Madras, 28 December 1945.

Hindu, 29 December 1945.

The two Wars and the progress of science have changed the conditions of existence on this planet. Communications have been quickened to an astounding extent. Although distant countries have been brought closer, human ambitions and national rivalries do not seem to have abated. We are all made aware how war research has brought to light a new disturbing element the atom bomb which as an instrument of warfare possesses terrific potentialities. The energy released by splitting the atom may be powerful both for good and evil but so far man has had experience only of its destructive side. If the handling of the atom bomb spreads uncontrolled, an easy way will be opened for contending nations to destroy one another. Another threat to peace so far as India is concerned is that its population has been growing without any corresponding increase in resource or ability to maintain satisfactory living conditions. World trends at the close of the War seem full of evil portents. It has been remarked that we are moving into a dangerous new world; it is too soon, however, to lose ourselves in pessimism.

The population is growing rapidly, but it is not equipped with up-to-date knowledge of world conditions or with modern tools and practices which reduce cost of production. The average value of work done per head of population is so low and poor that it makes living precarious. It is less than one-tenth of what one finds among some of the more advanced populations of the West and in the Dominions of the British Commonwealth. One reason is that India does not work hard enough or with discipline and he is not equipped with any technical skill or useful business habits

worth mentioning and he has not learnt the use of modern machinery to produce commodities cheap or to get speedy results of any kind by mechanical power. Machinery and machine tools which progressive nations use and business methods which industrial nations practice are not known in this country on account of absence of mass education and business training. India is very rich in man power and human talent but this potential huge force is kept idle through lack of elementary education and political power. In addition to these drawbacks, custom and convention which are not corrected by education play their part in keeping the play idle. It should however, be added that for carrying on the functions of a democratic government we have a larger number of literate population in India than there is in Great Britain itself.

To the masses of the uneducated population, progress and prosperity are a matter of chance or a gift from heaven and not the result of human regulation and effort. In these circumstances, attempts should be made to create conditions favourable to mass thinking and collective effort.

At present, the popular mind is disturbed. The present-day unrest in India is a healthy discontent with a stagnant state of affairs. Political power in the form of Dominion Status was promised so long ago as 1917, but the people have not yet obtained the necessary democratic power to plan their own future or to give attention to the country's higher needs. Unless this comes about and people achieve a political position to enable them to look after their own interests, their hardship will not abate or cease to grow.

The All-India Manufacturers' Organisation is endeavouring in a feeble way to advise people to give earnest thought to the problems facing them and labour in every part of the country. It has developed a certain unified plan and programme, and prepared a small quantity of literature with a view to induce both rural and urban populations to turn to industrial life. Practical action is also being taken to implement some of the proposals, and specific schemes have been brought to the notice of Government and placed before the public and the press. The successful rapid development of industries which was hitherto retarded largely depends however on the willing co-operation of the government of the country.

Why industries are of supreme importance for raising the income of the people at the present time is that there is a local market for the products of industries, and promotion of industries besides bringing profit to business circles, provides employment to large numbers of the working population.

The proper course to take for the next ten years is to concentrate attention on industries and manufactures and their other subsidiary activities. In the present impoverished condition of India, there is no remedy but through industries. The cry should go forth in this post-war period in every nook and corner of the country: 'Develop Industries or Perish'.

Our organisation is mainly concerned with the activities connected with industries and economic advance. The country's defence is not directly related to its economics but defence operations as a whole exercise a powerful influence on the country's economic life.

Some work seems to be proceeding already to build up a new national army, navy and air force but as usual without enunciating the general principles followed or consulting the people immediately interested in the country's future defence. The work being generally the concern of the new national government, the defence should be built up with its knowledge and approval. The development should be undertaken under the supervision of a committee of trusted Indian leaders. It is necessary to add that a national democratic government will maintain only a precarious existence unless it is backed by a strong defence organisation under the control of trusted national leaders.

The first need of a human being is to make satisfactory provision for his wants and necessities to keep himself and his family alive. The responsible committee or agency in each regional unit area should provide for the following safeguards:

- (1) To maintain in the possession of private house-owners within the regional area a two years' supply of food products for the entire population of the area;
- (2) To speed up the work of the people in production and other gainful activities in the area so that their aggregate value may be doubled in five to seven years' time; and
- (3) To prepare annually an estimate of the value of commodities produced and services rendered in the unit area and maintain a record of per capita income.

Nearly 90 per cent of the population is illiterate and the lack of elementary education constitutes a most serious handicap in the way of material progress. This catastrophic condition should be remedied as speedily as possible.

The University education should cease to be literary and young men should be taught the dignity of labour. If industries, for instance, are scientifically organised and skilled men and women are employed in them, it will be possible to turn out two or three times the amount of productive work at present done and that in shorter hours and under less monotonous conditions. The country wants leaders for efficient performance of all national activities.

For industries and economic activities of a constructive character more and more engineers and craftsmen are required. The number qualified for occupations happens to be small and utterly insufficient. The weakness of India in constructive pursuits is due to the smallness of executives and workmen of these types. In America great attention is paid to productive activities and constructive services. On account of planned development, the American nation has been able to handle its natural resources most efficiently and wisely and so has risen, to the first rank as an industrial nation.

21. All India Manufacturers' Organisation Conference, Madras, 29 December 1945: Resolutions and Speeches

Hindu, 30 December 1945.

The Sixth Annual Session of the All-India Manufacturers' Organisation Conference resumed its sittings this morning, at the Banqueting Hall, Government House, Sir M. Visvesvaraya presiding and adopted several resolutions.

Dewan Bahadur H.L. Kaji moved a resolution, stressing the need for the development of cottage and small-scale industries. The resolution stated that the Conference recognised the very important place cottage and small-scale industries should occupy in the scheme of economic planning for national progress. With the great variety and diversity of local requirements and with the grinding poverty and low standard of living of India's huge population, there was definitely ample room for small-scale industries side by side with large-scale industries. Industrialisation should definitely include the organisation and development of subsidiary occupation for agriculturists and of cottage and small-scale industries on modern and efficient lines promoted, assisted, supported and protected by the State.

The resolution exhorted people in general and the intelligentsia in particular to turn to the villages and earnestly work the Village Industries Scheme of the All-India Manufacturer's Organisation for the economic regeneration of the masses and for raising the general level appreciably, agriculturally and industrially. It expressed pleasure at the increased interest shown

by the Provincial Governments in the development of small-scale industries and appreciation of the work done by the All-India Village Industries Association sponsored by the Indian National Congress. The resolution was passed.

The next resolution which was on 'Reparations', urged that in view of the acute scarcity of machinery and industrial raw materials in India and also because of the country's enormous sacrifices in the supply of men and material during the war, Indian representatives should endeavour to get an adequate share of the Reparations to fit in with the country's post-war development schemes. It recommended that a permanent inter-Allied reparations agency should be created to distribute reparations among the Allied nations. It urged that in view of the work of the Reparations Conferences being of a specialised nature the Indian official delegates should be assisted by non-official advisers consisting of commercial and technical men chosen by the interests concerned The resolution was adopted.

The next resolution which related to economic controls ran as follows: 'While accepting the principle that for the proper regulation of the national economic life controls are necessary, the Conference is of the opinion that most of the controls, as they are in force today, have been wrongly conceived and are being badly administered. It is principally because of these reasons that the controls have often become a fruitful source of corruption and have led to artificial shortages of many a controlled article.

While there might have been some justification during the war for the complete regimentation of the country's economic and industrial life through various control measures', the resolution added, 'the Conference is of the opinion that with the cessation of hostilities, a revision of some and the complete and immediate withdrawal of other control measures are essential.

The Conference is further of the opinion that while price control in some form might be retained over foodstuffs and textiles, it is necessary that all control measures over the production and distribution of machine tools in the country and over the importation and acquisition of all kinds of industrial raw materials, including metals in all forms and engineering stores, must be removed forthwith as the indigenous production of a large variety of consumer goods in the country is being seriously hampered by the retention of those particular controls.'

The next resolution considered by the Conference ran as follows: 'This Conference views with concern the complete disregard shown by the Government of India in the matter of protecting India's financial interests, continually allowing her financial policies to be conducted in a manner which is detrimental to the country's best interests—which is mainly responsible for the increasingly inflationary conditions obtaining in the country, despite the termination of the war. With a view to preventing further and perhaps irreparable damage being done to the country's financial fabric, the Conference demands, among other things, the utilisation of the Sterling Balances at present lying idle in London for the repayment of British commercial investments in India, and the immediate stopping of further accumulations of sterling and any further treatment of sterling securities as currency reserve.'

The resolution also demand that 'no portion of the sterling balances should be waived on any ground whatsoever, since these balances have legitimately accrued to India at considerable damage to her own economy, that negotiations should be immediately opened between the Governments of Britain and India with a view to arriving at an agreement for the funding of the sterling debts due to India on a fixed term and at a reasonable rate of interest and that a permanent place should be given to India at an early date on the Council of the International Monetary Fund and International Bank for Reconstruction and Development and a proper and due share in the benefits of the Bretton-Woods financial arrangements.

The resolution demanded also that all the dollar credits earned by India during the war, which rightly belonged to her, should be restored to India for being utilised in a manner conducive to the development of India's industry.

Commercial Safeguards

After adopting a condolence resolution touching the death of Mr Popatlal Govardan Lalam, Chairman of the Kerala Board of the Manufacturers' Organisation and President of the Indian Chamber of Commerce, Cochin, the Conference took up for consideration the commercial safeguards. Mr S.N. Hari moved a resolution regretting the 'uncompromising attitude' by vested non-Indian commercial interests in the matter of abrogation of the provisions relating to commercial safeguards in the Government of India Act, 1935, and expressing the opinion that the retention of these provisions on the statute book hampered the execution of plans for the economic development of the country. The Conference considered the removal of the present safeguarding clauses as an essential act of good faith on the part of British interest to provide the necessary basis of goodwill and atmosphere of cordial equality, which alone could be conducive to the building up of long-term, harmonious, economic relationship between Britain and India. The resolution was passed.

Moved by Mr G.N. Bannerji and seconded by Mr Kerala Varma Thampuram, the Conference adopted a resolution recommending the early adoption of the following measures by all concerned in the mobilisation of India's man power for industrialisation: (a) progressively liberal wage standards; (b) introduction of a working week of 48 hours; (c) more efficient methods of work; (d) granting of leave on full pay for at least two weeks in a year; (e) provision of free and adequate medical service; (f) introduction of cost-price food canteens for providing, nutritive food during working hours; (g) formation of workers' co-operative societies; (h) introduction of provident fund and insurance schemes for the entire factory personnel with equal contribution from industries and the State; (i) introduction of apprentice courses for the training of technical personnel; and (j) training in citizenship through literary classes, reading rooms, physical training and visual education.

Dr Rm. Alagappa Chettiar moved a resolution appealing to Indian industrialists to take suitable measures for the protection and promotion of their interests. The resolution urged them (a) to place at a very early date their claim for protection before the Tariff Board which had been recently set up; (b) to register with the Chief Controller of Imports (Capital Goods) their requirements of capital goods to be imported from abroad; (c) to apply to Government for priority assistance for the training of their technical personnel in foreign educational and industrial establishments; (d) to send immediately their representatives to UK and USA, to secure through their purchase missions surplus and new machinery, plants and machine tools in those countries; (e) to bring through the special machinery provided by the organisation to the notice of the Industrial Panels of the Government of India all difficulties hampering the expansion of their industries; (f) to compile, on up-to-date lines, statistics of production, sales and markets and to furnish fullest information thereon to the Government as might be required under the provisions of Industrial Statistics Act of 1942; (g) to bring to the notice of the Working Committee of AIMO all instances of denial of facilities by the Government for the rapid and full expansion of their particular industries; and (h) to provide for adequate co-ordination between entrepreneurs and technical personnel on a mutually beneficial basis which would enable them to contribute jointly their full and willing share towards the building up of a sound industrial structure in the country. The resolution was passed.



22. Communists on Industry, Employment and Agriculture

People's War, 14 October 1945.

I. On Industry and Employment

... The British Industrialists have traditionally used their political power to prevent the Industrialisation of India. Even during the war years they sabotaged the starting of vital new industries and the maximum expansion of existing industries. They kept India poor and undeveloped and during war years made us suffer scarcity and high prices, hardly equaled in any other civilised country.

The Indian Industrialists and capitalists instead of standing by their people in time of such acute crisis only accentuated it by hoarding of all available goods and transforming the normal market into black-market. The majority of leaders of industry and trade have become notorious with profiteers. They through their own deeds stand self-condemned as selfish anti-social elements to whose hands the future of the economy of our country cannot be trusted. The Indian people have not fought for freedom only to let the Indian capitalist-profteers become the monopoly kings of Indian Industry and finance.

The Party will advocate the rapid planned industrialisation of India to proceed under the direct guidance of the People's State on the basis of the following basis principles:

1. Nationalisation of all key industries.
2. State control of all capital resources for the development of the country as per state plan.
3. Planned and even development of the industrial resources in the different parts of the country.
4. Large-state expenditure on social services guaranteeing living wage to all workers.
5. The state plan to be implemented through free and equal co-operation between the representatives of the state management and labour.

It is idle waste of time to work up schemes for the future planned industrial development in India if the threatened industrial crisis is not vigorously fought on here and now. Therefore the Party will concentrate its immediate attention upon measures that will prevent post-war unemployment and provide jobs to all those already employed in war-time industries now being rapidly closed down.

The Party will advocate in the Legislatures and vigorously press upon the popular ministries to support and implement the following interim measures to keep up the existing level of industrial employment and get the financial resources to pay unemployment allowance and start new industries:

1. Reconvert war-time industries to peace-time needs through workers' co-operation.
2. Pass immediate legislation to take over all British concerns in part payment of the sterling balances and to be immediately developed as nationalised industries.
3. Pass immediate legislation not to return the EPTA reserve fund to the profiteers-capitalists.
4. Setting up of impartial open tribunal to investigate into the fortunes of all war-profteers and confiscation of the entire fortune of those found guilty of black-marketing and profiteering during the war years.

In every industrial constituency our Party will put forward detailed concrete schemes for saving people's livelihood and for better service of the peoples' needs by the industries concerned. They will be based on bridling the capitalists-profteers and trusting the workers, employees and

technicians. We will mobilise the working class support behind them and demand that popular ministries immediately carry them out. (from 'Communist Election Policy')

II. On Agriculture

... The Party will popularise the following measures to destroy these enemies of the villages ('the parasitical Zamindar, the usurious mahajan, the crafty bania' who turned hoarders, black-marketeers and land-grabbers), liberate the peasant and serve as the basic slogans of rural reconstructions:

1. Abolition of landlordism, Nationalisation of land. Redistribution of land to make the uneconomic holdings of the poor peasants into consolidated economic holdings and to make large-scale co-operative farming possible.
2. Usury to be banned. All agricultural credit through co-operative state banks.
3. Private trade in people's food banned. People's state to ensure direct purchase from the peasant at fair price.
4. Large-scale mass peasant initiative to be directly aided by the people's state for starting a network of co-operative sales and purchase societies to buy from the peasant his surplus produce at a fair price and making available to him his daily necessities at cheap rates. (from 'Communist Election Policy')

SECTION II: FOREIGN RELATIONS

23. No Lasting Peace Without End of Imperialism: Gandhi

Gandhi's interview to Ralph Coniston¹ in April 1945.²

CWMG, Vol. 79, p. 421.

Ralph Coniston: Why do you feel so skeptical about the possibility of a lasting peace emerging from the defeat of the Axis Powers?

Gandhiji: The reason is patent. Violence is bound sooner or later to exhaust itself but peace cannot issue out of such exhaustion. I am uttering God's truth when I say that unless there is a return to sanity, violent people will be swept off the face of the earth... Those who have their hands dyed deep in blood cannot build a non-violent order for the world.

R.C. While the representatives of the big powers who would be meeting at San Francisco were what they were, the people at large, after the experience of the horrors of war, would force the hands of their respective Governments.

G. I know the European mind well enough to know that when it has to choose between abstract justice and self-interest, it will plump for the latter. The man in the street even in America does not think much for himself. He will put faith in what Roosevelt says. Roosevelt gives him market, credit all that. Similarly Churchill can say to the English working class that he has kept the Empire intact and preserved for them the foreign markets. The people will, as they do, follow him.

R.C. So, you don't think that the average man in Europe or America cares much for the high ideals for which the war is professed to be fought?

G. I am afraid, I do not. If you hold the contrary view, I shall honour you for your belief but I cannot share it.

R.C. Then, you don't think the Big Five or the Big Three can guarantee peace?

G. I am positive. If they are so arrogant as to think that they can have lasting peace while the exploitation of the coloured and the so-called backward races goes on, they are living in a fool's paradise.

R.C. You think they will fall out among themselves before long?

G. There you are stealing my language. The quarrel with Russia has already started. It is only a question when the other two—England and America—will start quarrelling with each other. May be, pure self-interest will dictate a wiser course and those who will be meeting at San Francisco will say: 'Let us not fall out over a fallen carcass. The man in the street will gain nothing by it. Freedom of India along non-violent lines, on the other hand, will mean the biggest thing for the exploited races of the earth. I am, therefore, trying to concentrate on it. If India acts on the square when her turn comes, it will not dictate terms at the Peace Conference but peace and freedom will descend upon it, not as a terrifying torrent, but as 'gentle rain from heaven'. Liberty won non-violently will belong to the least. That is why I swear by non-violence. Only when the least can say, 'I have got my liberty' have I got mine.

The conversation then turned on the issue of the treatment of the aggressor nations after the war.

G. As a non-violent man, I do not believe in the punishment of individuals, much less can I stomach the punishment of a whole nation.

R.C. What about the war criminals?

G. What is a war criminal? Was not war itself a crime against God and humanity and, therefore, were not all those who sanctioned, engineered, and conducted wars, war criminals? War criminals are not confined to the Axis Powers alone. Roosevelt and Churchill are no less war criminals than Hitler and Mussolini.

Hitler was 'Great Britain's sin'. Hitler is only an answer to British imperialism, and this I say in spite of the fact that I hate Hitlerism and its anti-Semitism. England, America and Russia have all of them got their hands dyed more or less red—not merely Germany and Japan. The Japanese have only proved themselves to be apt pupils of the West. They have learnt at the feet of the West and beaten it at its own game.

R.C. What would you see accomplished at San Francisco?

G. Parity among all nations—the strongest and weakest—the strong should be the servants of the weak not their masters or exploiters.

R.C. Is not this too idealistic?

G. May be, but you asked me what I would like to see accomplished. It is my belief that human nature is ever working upward. I can, therefore, never take a pessimistic view of the future of human nature. If the Big Five say, 'We shall hold on to what we have', the result will be a terrible catastrophe and then Heaven help the world and the Big Five. There will be another and bloodier war and another San Francisco.

R.C. Would the results of the second San Francisco be any better than that of the first?

G. I hope so. They will be saner then. They will have gained their balance somewhat after their third experience.

R.C. Would you not go to the West to teach them the art of peace?

G. In the second World War some British pacifists, including Dick Shepard and Maude Royden had written to me asking me to point the way. My reply in substance was: Even if one of you can become true in the right sense of the word, that one man will be able to inculcate non-violence among the European folk. I cannot today save Europe, however much I may like to. I know Europe and America. If I go there I shall be like a stranger. Probably I shall be lionised but that is all. I shall not be able to present to them the science of peace in language they can understand. But

they will understand if I can make good my non-violence in India. I shall then speak through India. I, therefore, declined to accept the invitations from America and Europe. My answer would be the same today.

R.C. If you were at San Francisco, what would you be advocating there?

G. If I knew I would tell you but I am made differently. When I face a situation, the solution comes to me. I am not a man who sits down and thinks out problems syllogistically. I am a man of action. I react to a situation intuitively. Logic comes afterwards, it does not precede the event. The moment I am at the Peace Conference, I know the right word will come. But not beforehand. This much, however, I can say that whatever I say there will be in terms of peace, not war.

R.C. What kind of world organisation would promote an enduring peace or preserve it?

G. Only an organisation based predominantly on truth and non-violence.

R.C. With the present imperfect condition of the world and human nature, what means would in your opinion promote peace?

G. Nearest approach to the condition laid down in my answer to the previous question.

R.C. Would you have a world government?

G. Yes, I claim to be a practical idealist. I believe in compromise so long as it does not involve the sacrifice of principles. I may not get a world government that I want just now but if it is a government that would just touch my ideal, I would accept it as a compromise. Therefore, although I am not enamoured of a world federation, I shall be prepared to accept it if it is built on an essentially non-violent basis.

R.C. If the nations of the world were to consider world government as a means for preserving peace and promoting the welfare of all peoples, would you advocate the abandonment of India's aspiration for independence in order to join in the general plan?

G. If you will carefully go through the much abused Congress resolution of August 1942, you will discover that independence is necessary for India becoming an efficient partner in any scheme for the preservation of lasting peace in the world.

¹ Ralph Coniston was from the *Colliers Weekly*.

² From the contents it is obvious that this discussion took place before the San Francisco Conference which opened on 25 April 1945.

24. Congress Working Committee Resolutions on Foreign Relations

Indian Annual Register, 1945, Vol. I, p. 225.

(i) Resolution Passed at the Working Committee Meeting held in Bombay, 21–22 June 1945

World Organisation and Syria

The Working Committee, meeting after nearly three years of enforced isolation, have to consider numerous national and international problems which have taken new shape and form. The Committee will meet again in the near future for this purpose. Meanwhile, while recognising the efforts being obstructed and vitiated by the ambitions and fears of the Great Powers who are often moved by motives of retaining their dominion over colonies and dependencies and preventing or delaying the freedom of these countries. The Committee are convinced that world peace and any new international order can only be based on the recognition of the freedom of all these countries and the elimination of all traces of imperialist control by whatever name it may be called. The Committee reiterate the policy in regard to the matter laid down by the AICC on 8 August 1942.

The Committee have noted with deep regret and resentment the recent attacks on Syrian and Lebanese independence which are a violation not only of the specific pledges given to the Syrians and Lebanese but also a negation of the principles proclaimed by the United Nations.

(ii) Resolutions Passed at the Working Committee Meeting held at Poona, 12–18 September and Bombay 21–23 September 1945

The Working Committee welcome the efforts that have been made by the United Nations to build up an international order to maintain peace and security and to develop friendly relations among the nations based on respect for the principle of equal rights and self-determination of peoples. While appreciating the work of the San Francisco Conference in this respect and realising that any world organisation must of necessity be related to the realities of today, the Committee regret that the position allotted to the smaller nations in the Charter is one lacking all effectiveness and the Great Powers not only dominate and completely control the new organisation but are placed above and beyond the law they have themselves helped in framing. These Great Powers have indeed strengthened and consolidated their own position in the world and have shown no inclination to give up their colonial possessions and the special powers and privileges they enjoy at the expense of dependent peoples. According to the Charter as framed, the world organisation will only be effective when none of the Great Powers are interested in the dispute. Where there is such an interest, as there is likely to be in most international disputes, a Great Power veto will prevent any action being taken.

The Committee especially regret that the declaration regarding non-self-governing territories is vague and unsatisfactory and is little better than the old mandate system of the League of Nations which was a signal failure in the past. The discussion in the San Francisco Conference on the object of trusteeship, and in particular, the strenuous objections raised by some Powers to the use of the word independence, are evidence of the fact that imperialist powers are still functioning in the old imperialist way and intend to retain and exploit their colonial possessions. The Committee are of opinion that a full and frank recognition of national independence, within the framework of the international order of colonial territories is necessary to give reality to the purpose and objectives of the new organisation and to lay the foundations of a stable peace.

The Committee have noted that the delegates from India to the San Francisco Conference represented the alien government and in no way the people of this country, and their attitude towards problems affecting India and other dependent and colonial territories was often opposed to the policy of India and is likely to mislead foreign nations. The fact of dependence on foreign authority has resulted in giving her an anomalous and degrading position in an organisation of sovereign States and deprived her of a permanent seat in the Security Council of the new organisation, which is her rightful due. Both for national and international reasons, India must attain the status of an independent and sovereign State, having a place in the highest councils of the nations, and in a position to contribute to the maintenance of peace, security and freedom.

25. Protest Against the Use of Indian Troops in Indonesia¹

Nehru's statement, 30 September 1945.

Selected Works of Jawaharlal Nehru, Vol. 14, p. 447.

Only a few days ago, the All India Congress Committee declared that Indian troops must not be used for keeping down the peoples of colonial territories in Indonesia and elsewhere. And now, almost immediately after, has come the news of the independence movements active and aggressive shape in Indo-China and Java and of Indian troops being employed to suppress them.

The use of Indian troops is being greatly resented in India and the British Government should know that it is likely to lead to grave and far-reaching consequences.

The Indian national movement as represented by the Congress has had friendly contacts in the past, long before the last war began, with the national independence movement of Java and Indo-China. We are intensely interested in the freedom of these as well as other subject countries of Asia and Africa and we would like to help them in so far as we can to achieve this.

It is monstrous that our people and our armed forces should be employed to suppress those for whom we have the fullest sympathy.

¹ In Indo-China, the British were keeping down the agitation of the Annamite nationals with the help of a contingent of 12,000 Indian troops and in Indonesia they were employing the Indian army to help the Dutch restore their control.

26. India's Lead in Asian Liberation

Jawaharlal Nehru's address at South East Asia Day meeting, Lucknow, 28 October 1945.

Selected Works of Jawaharlal Nehru, Vol. 14, p. 459.

The fight for India's freedom is interlocked with the liberation movement of other Asiatic countries, which are determined to achieve independence.

I am proud to declare that India is the torch-bearer in the liberation movement of Asiatic countries, which look up to India for assistance and guidance. I regret that India is not strong enough to prevent Indian troops from crushing the spirit of independence of the people of Indonesia and Indo-China.

However, I warn the British Government of the growing feeling of resentment in the country against the use of Indian troops in Indonesia. The British Government's intervention in the internal affairs of Indonesia is not justified. In my opinion, the British Government is afraid that if the liberation movement succeeds in Indonesia, it will have repercussions in India also.

I urge the King of Nepal to force the British Government not to use Gurkha troops against Indonesians. The United States Government, which is always professing to be the champion of freedom and democracy, has failed to take active interest in Indonesian affairs.

Three years of ruthless repression by an alien and irresponsible government has sown seeds of distrust, frustration and anger. The country's temperature is rising every day and I feel that if an early solution is not found, people's energy might be directed into dangerous channels.

Surrounded by 'yesmen', a handful of officers in London and Delhi, who profess to be masters of India's destiny, are living in the realm of fantasy. They refuse to face the realities of the situation. I ask, what good has the present Government done and what good is it capable of doing? Time has come when we cannot be treated like dumb-driven cattle.

I am not prepared to hear oft-repeated sermons from Delhi and London that we are not united. They have not felt the pulse of the people. They only know how to execute unreal plans and schemes. Sometimes they hear an angry voice and say that they do not like it, not knowing that the voice is that of millions of Indians joining to shatter the chains of slavery. The day is not far off when our voice will be heard in every nook and corner of the world.

India is reeling under an authoritarian government, both at the Centre and in the provinces. The present Labour Government in Britain, while professing to sympathise with our aspirations, argue that our demand is not the real issue. They, in effect, do not understand the importance of the Indian problem. India is the key to the solution of the question of freedom of all dependent countries.

Some have complained that Congress leaders are saying some harsh things which the Government do not like, for instance, about conditions in Delhi and Lahore forts. It is not for me to compare these forts to the notorious Belsen Camp, once run by the Nazis. But let the Government hold a sifting inquiry into the allegation against British officers for what they did in Ballis and Azamgarh in the past three years.

I warn the British Government that if it does not pay heed to the legitimate aspirations of the Indian people, a day may come when Asia will rise against Britain and America. Henceforth, Indians will refuse to lead a life of slavery and disgrace.

27. Obligations of the United States

Jawaharlal Nehru's Press Statement at Lucknow, 28 October 1945 on America's attitude towards independence for subject countries.

Selected Works of Jawaharlal Nehru, Vol. 14, pp. 457–59.

While welcoming President Truman's declaration¹ of United States foreign policy I may state that unless some effective solution to the Indian problem is found within the next few months a new crisis will develop in India, which cannot be solved by parleys at the high level. This crisis will affect the world situation.

It is well known that America has been looked up to for many years as a country which stands for freedom. There are undoubtedly other powerful forces at work in America also but, as compared with other great powers, America is free from the burden of an imperialist past. This is a great asset to America in its dealings with other countries. Mr Wendell Wilkie mentioned this after his world tour.

Everywhere in Asia and Africa people looked up to America, but even then certain doubts were beginning to arise because of American policy. Subsequently, these doubts gained strength. President Truman's announcement will help to some extent in lessening these doubts, but obviously mere announcements do not go far at a time when active interpretation of policy, is needed everywhere.

There is no doubt that, during the last few years, there has been some disillusionment in India in regard to American championship of freedom. At San Francisco, the Soviet Union took the lead in championing independence for subject countries, but other powers fought shy of this and tried their utmost to tone it down.²

The Soviet Union has been usually silent about all such matters, but whenever they have said anything it has been in favour of freedom of subject countries.

At the present moment we are right in the midst of the aftermath of the war and inevitably all the assurances given and the promises made during the war demanding fulfillment. Yet we see the attempt to crush with armed forces the freedom movements of Indonesia and Indo-China, and in this British forces are taking an effective part. Indeed, even the Japanese have been employed for this purpose. The American Government has declared that lend-lease³ goods used against the Indonesians should have their labels torn off. That is poor consolation, indeed, for the Indonesians. They will be shot down by guns whether the guns bear this label or that.

In India, the United States has kept itself clear from all entanglements. We cannot blame it for this attitude, specially in wartime, but there has been something much more than this during the past few years—a passive and sometimes even an active support of British policy and British propaganda. We realise fully that Indian freedom will be won by India's strength and that we cannot rely on any foreign power. Nevertheless, it is obvious that India's reactions to other powers

will be governed by their policy to India. It should be clear to anyone that India will function independently before very long and that an independent India will make rapid progress and play an important role in world events. That role will be influenced by the attitude of other powers to Indian freedom.

So far as one can judge, American policy in regard to India has been strangely subservient to British policy. That British policy, whatever the professions behind it, continues to be one of authoritarian rule in India without the least trace of democratic functioning. I trust that President Truman's announcement indicates something more than an expression of vague goodwill. Today, effective action is necessary if we are to save ourselves from the rapid deterioration leading ultimately to conflicts on a vast scale.

In India, besides various problems, a possible new constitution is being discussed, but the reality is not this legal consideration or even the elections that are to come, but an intense and passionate desire to be rid of British rule and to establish a free and democratic state. During the four months I have been out of prison, I have been astonished at the depth of this sentiment and the rising national feeling of the people.

In effect the problem of freedom is indivisible. It crops up separately whether in Java or whether in Indo-China or India or elsewhere. But basically it is the same. There must be, therefore, a common approach to a common solution before all peaceful solutions are ruled out.

¹ President Truman's statement of 27 October 1945 insisted on the right of all peoples to self-government, territorial changes only in accordance with the freely expressed wishes of the people concerned, and the advantages of equal access to trade and raw materials and international economic collaboration.

² Speaking at the San Francisco Conference on 30 April 1945, M. Molotov, the Soviet Foreign Minister, said: 'We have here among us an Indian delegation, although we know India is not an independent country. But the time will come when the voice of independent India will be heard too. We complied, however, with the request by the British Government that India should be invited to this conference, imperfect though her status is.'

³ The system under which essential war materials were made available to the Allied countries by the US in the Second World War.

28. Narendra Dev on Foreign Policy Issue

Amrita Bazar Patrika, Annual Puja Number, October 1945.

The war has been won. The question is if the Allied Governments will be able to win the peace. As has been remarked by shrewd observers, if peace has to be won the foundation of principles on which the peace has to be built should have been laid during the period of war itself. If we have to avoid the outbreak of another war we must build an economic system which can offer progressive welfare for the masses. It is sufficient condemnation of the present system that full employment has been possible only during the war period.

Without a fundamental change in the present system, democracy will be in a critical condition everywhere. We cannot go back to the *laissez faire* policy of the pre-war period. The society has to be planned for the well-being of the common man. In the words of Harold Laski,¹ 'even after a military victory over nazism, [there] still remains the deeper issue of a victory over ourselves.'

Let us see if such a victory has been achieved. There is no doubt that Allied Governments have from time to time, issued statements breathing lofty sentiments of the dignity of man and of a deep feeling for humanity. We have the noble expressions of the Atlantic Charter and of the Four Freedoms. The Charter adopted at the San Francisco Conference² reaffirms faith in the equal rights of men and women and of nations, large and small, and stresses the necessity of living in unity and concord so that international peace may be secured. These are noble professions indeed

but we all know how the Allied Governments have belied them in practice. Power politics is very much in evidence and principles have given place to expediency. As the end of war in Europe was in sight Mr Churchill began to say that the war had ceased to be ideological. The rift between the Allied is widening and the pre-war suspicions are again raising their head. Unilateral decisions have been taken again and again.

In the world security plan that has been adopted by the United Nations a Trusteeship Council has been instituted to administer mandated territories and territories annexed from enemy countries, only in case of individual agreements. But where no such agreement is possible the Council will not be competent to undertake the administration of such territories. Besides, no machinery has been set up to supervise the administration of dependent territories administered by members of the United Nations and no compulsion can be used in their case to enforce the fulfillment of the aims and objectives which such members recognise under the charter. Again, England, France and Holland are not prepared to relinquish their empires. Churchill's words 'we mean to hold our own' still ring in our ears. The Labour Government has not returned Hong Kong to China. Mr Bevin's³ foreign policy is only a continuation of Churchill's policy. The British regard their empire as necessary for their wealth and power. This tenacious desire to hold on to the old world will not establish peace and economic security in the world.

It is also clear that no organisation will be able to keep the peace if its principal members do not mean to do so. It is the leaders and policies that will determine the shape of the coming world and not the platitudes indulged in world charters.

It seems as if the peace is already lost and this blood bath has again been in vain. In such a situation it behooves every true lover of freedom and democracy to educate public opinion on the implications of the present situation and to organise it for fighting the forces of reaction in order to bring back the lost peace. The next few years will be decisive and it behooves all the progressive forces of the world to unite together for achieving their common purpose. The masses are in an expectant mood and are ready to undergo heavy sacrifices only if they have the assurance that their sacrifices will not be in vain and will not be utilised to serve the interest of an already over-privileged class.

It is certain that if we acquiesce in what is happening today all the evils that followed the last war will return. The issues are so deep and are so intimately connected with human welfare that we can ignore them only at our peril.

If the above view is correct, Asia will not have a happy time. We should recognise that though sympathy and help should be welcome from every quarter, we shall have primarily to depend upon ourselves. It seems that the obduracy and utter selfishness of the imperialist powers will make it inevitable for the subject countries of the East to combine for striking a blow for freedom.

The tendency exhibited during the war to count too much on the goodwill and support of the USA is to be deprecated. It seems as if in the days to come the USA would more and more refuse to interfere in the domestic affairs of the British Empire. The news that there is going to be an Anglo-American alliance as against the Soviet Power, if correct, simply confirms the truth of the above viewpoint.

It is becoming more and more difficult to predict how Russia will act in a particular situation. Russia has been a great inspiration to the oppressed peoples of the earth but the hard realities of the European situation, it seems have led her to abandon much of her old idealism. She wants to make herself completely free from the menace of foreign invasion. Her policy seems to be dictated by this sole consideration. She does not obviously trust some of her present allies. She has not forgotten as to what had happened to her all these years ever since the Russian Revolution; encirclement by capitalist powers, intervention and economic blockade and their continuous refusal

to enter friendly relations with her. Russia is, therefore, taking all possible steps to prevent a repetition of such happenings. She is more afraid of her new allies than of her erstwhile enemy Germany.

Soviet Russia is interested in the Middle East, Iran and China. The British Government is trying to strengthen itself in the Middle East by establishing the Arab Federation under its leadership. It is giving the slogan of 'hands off iron' and will give the Iranian Government its moral support against Russian interference. In China also Anglo-American interests demand the establishment of a strong national government. China is the only Asiatic country that has got a permanent seat on the Security Council and its future will be assured with the support and goodwill of the Asiatic people.

In this connection it is gratifying to note that Russia has displayed good sense by entering into a fair treaty with China⁴ and by giving a guarantee that it has no intention of interfering in its internal affairs. India's future is closely interwoven with the future of China and as such it will be our duty to stand with our great and true ally through thick and thin. It is now for the leaders of the Kuomintang to democratise their Government and to adopt radical measures to secure the well-being of the people. Let us hope that China's sympathy and help will be available to every Asiatic country that struggles for its freedom but we recognise that this will be possible only within the strict limits of its obligations to other members of the United Nations.

India alone will be unfettered by any such consideration but its subjection today will not enable it to render any substantial help to others. India has, however, become a symbol of the freedom of Asia. Let us see that the symbol is not broken. Our stand during the war has made India the question mark of the present epoch and all countries of Asia are eagerly looking forward to the day when India will be free because they feel instinctively that the key of their salvation is in India. They are aware of the fact that our stand during the war has been a demand for the freedom of all Asiatic and African peoples. Let us hope that India, while striving for its own freedom, will not forget its neighbours who are less fortunate and will, at least for considerations of self-interest if not for anything else, follow a good-neighbourly policy and will enter into unofficial non-aggression pacts and pacts of mutual friendship to ensure their future freedom. India should make her position clear in this respect by making a declaration to the fact that she has no intention to exploit her neighbours either, politically. She should never seek special privileges for or claim discrimination in favour of its nationals in Burma and Ceylon. She should advise Indians living abroad to identify themselves with the common people of those countries. India cannot follow a policy of isolation. Our isolationism has done us much harm in the past. Let us revive the ancient traditions when India had her contact with the surrounding world and when there was commerce in ideas and goods between India, Central Asia, China and the countries of South-East Asia.

Though England, France and Holland may go to retain their old empires in the East, they will find it more and more difficult to do so. The war has quickened the political consciousness of the Eastern peoples. They have got over their inferiority complex. The white man's prestige has been shaken to the utmost and cannot be any more retrieved. Burma, Malaya and Indo-China will not agree to return to the old position of subjection. If any such attempt is made, it will be strenuously resisted. India will not be alone in its struggle for freedom and democracy. India has a great role to play in Asia in the present epoch. But this will be possible only if we realise our responsibility and do not miss the great opportunities that will present themselves from time to time. The August resolution is our guiding star. It is a perfect resolution because it not only reiterates our determination to achieve our independence but it also defines the social contents of the concept of freedom. It wants to vest all political power into the hands of workers in fields and factories. It also expresses

India's readiness to accept her international obligations. We have only to see that the resolution is not put into cold storage but is carried out in practice.

Let us hope that we shall have the wisdom, the vision, the courage and the statesmanship so to shape our policies as may enable the whole of Asia to achieve its freedom and further to lay the true foundations of full democracy everywhere in the East. This is the positive purpose for which we have to fight and if we have the compulsive drive, we are bound to succeed.

¹ Laski; Harold Joseph (1893–1950), influential British political philosopher/thinker who applied Marxist theory to interpret 'Crisis in Democracy' in Great Britain in the 1930s; author of many books, he was a prominent member of Labour Party and its Chairman during this period i.e. 1945.

² San Francisco Conference, formally called/known as United Nations Conference on International Organisation held from 25 April to 26 June 1945. It was in this meeting that the United Nations Charter was signed which thereby led to establishment of United Nations.

³ Ernest Bevin (1881–1951), British Trade Unionist and politician; he was the Secretary of State for Foreign Affairs during this period.

⁴ Treaty of Friendship and Alliance between China and the Soviet Union, Moscow, 14 August 1945.

SECTION III: LANGUAGE POLICY

29. Hindi and Hindustani

Gandhi–Tandon Correspondence Released to the Press by Shriman Narayan Agarwal, Secretary, Hindustani Prachar Sabha

Gandhi to Purushottam Das Tandon, 28 May 1945, *CWMG*, Vol. 80, p. 181.

Brother Tandonji,—I have been receiving letters in Urdu, Hindi and Gujarati asking me how I can continue to be in the Hindi Sahitya Sammelan as well as the Hindustani Prachar Sabha. They say that according to the Sammelan only Hindi can be the national language and Devanagari the national script, while I owe allegiance to both the scripts and to a language that is neither Sanskritised nor Persianised. It is pointed out that, if I do not fully subscribe to the national character of the language of the Sammelan and the Nagari script, I should sever my connection with the Sammelan. I feel there is some force in the argument. In these circumstances, is it not my duty to go out of the Sammelan? That will clear all doubts and I too will know where I stand. Please let me have your reply soon. As it is my day of silence I wrote this letter myself, but knowing that my handwriting is difficult to read, I have got it copied.

Yours
M.K. Gandhi

Tandon to Gandhi, 8 June 1945.

Revered Bapuji,—Pranam, I am in receipt of your letter dated May 28th I do not see any fundamental conflict between the activities of the Hindi Sahitya Sammelan and those of the Hindustani Prachar Sabha. You yourself have been a member of the Sammelan of 27 years. Your work for the propagation of Hindi during this period was wrong. You do believe in the desirability of propagating Hindi in the interests of the growth of nationalism. According to your new outlook, you also favour the propagation of Urdu. This is a new work different from the old one, but there is nothing conflicting between the two.

The Sammelan recognises Hindi as the national language. It considers Urdu to be a particular style of Hindi, which is prevalent among certain sections of the people. The Sammelan devotes

itself to the work of the generally prevalent style of Hindi, not to that of Urdu style. You want to serve Urdu too along with Hindi. The Sammelan is not at all opposed to it. On the other hand, it welcomes the cooperation of Urdu in replacing English as the medium of our national activities. The only difference is that while you want to serve both, the Sammelan has from the very beginning devoted itself to the service of only Hindi. There is no ban on the members of the Hindi Sahitya Sammelan against their joining the Hindustani Prachar Sabha. The Hindi Sahitya Sammelan sends its elected representatives to the Hindustani Academy and the Academy seeks to serve both Hindi and Urdu styles as well as scripts. Keeping all this in mind, I see no occasion for your leaving the Sammelan.

One point more in this connection. Supposing you had not been all along a member of the Hindi Sahitya Sammelan, you might have engaged yourself in the work of the Hindustani Prachar Sabha without finding it necessary to join the Hindi Sahitya Sammelan. But as you have been in the Sammelan for such a long time your going out of it can be justified only in case there is a definite conflict between its work and your new work. If you have only added one more new item to your activities, there should be no question of any conflict.

I have placed before you what I consider to be the right line of action. But if you do not find yourself in agreement with my view-point, and if your inner voice tells you that the only proper course for you is to sever your connection with the Sammelan, then, however regretful it may be, I shall respectfully bow to your decision.

Recently I issued a statement on the question of Hindi and Urdu. A copy of it is enclosed herewith with a request that you may read that also.

With respects,

Purushottam Das Tandon

PS—At present besides yourself, Shriman Narayanji (Secretary) and several other members of the Hindustani Prachar Sabha are also member of the Rashtra-Bhasha Prachar Samiti (National Language Propaganda Committee) of the Hindi Sahitya Sammelan. One obvious advantage of this arrangement is that it rules out the possibility of any conflict between the activities of the Rashtra-Bhasha Prachar Samiti and the Hindustani Prachar Sabha. Cooperation is desirable even where there are some differences.

P.D.T.

Gandhi to Tandon, 13 June 1945.

Brother Tandonji,—Received your letter yesterday. If I have understood your letter rightly, I should expect you and all lovers of Hindi to welcome my new outlook and give me all possible help. But that is not so. The situation is causing confusion in the minds of the people in Gujarat and they are asking me as to what they should do. A grand-nephew of mine and others like him are engaged in work for Hindi, as well as Hindustani. This causes difficulty. You know Perrin Ben, she too wants to serve both Hindi and Hindustani. But the time has now come when they should choose between the two. If what you say is right, such an occasion should not arise now or at any time. As I look at it, one and the same person can be the secretary or president of the Hindustani Prachar Sabha as well as the Hindi Sahitya Sammelan. That one may not find it possible to do so on account of the heavy burden involved, is a different matter. If your letter also means—as I think it does mean—what I have said, then there can be no ground for difference and I should feel very happy. I have also gone through your statement sent by you. I think the Hindustani Prachar Sabha is engaged in your own work and, therefore, is entitled to your thanks. The least you can do is to join it as a member. I requested you to do so, but you declined saying that as long as Dr Abdul Haq does not join it, you too should keep aloof from it. Now my request is simply this that if I

understand you rightly and if we hold the same views, then it should be made clear on behalf of the Hindi Sahitya Sammelan. If you do not think it necessary, I will not press it. At least this much should be clear that there is no difference of views between us two on this subject. To leave the Hindi Sahitya Sammelan is no joke for me. But as I left the Congress only to be able to serve it the better, so will it be in the case of the Sammelan if I have to leave it.

What you call my new ideas, are not really so new. I can claim that I am only giving a more concise and concrete form to the ideas to which I gave expression when I presided for the first time over the Sammelan and which I tried to define more clearly when I was elected president for the second time. I shall wait for your reply, before taking my final decision.

Yours
M.K. Gandhi

Tandon to Gandhi, 11 July 1945.

Revered Bapu,—Your letter dated Panchgani June 13 was duly received. Immediately following came news of political developments and your impending departure from Panchgani. I felt I should write to you when I find you a bit free from the pressure of political activities. Only this morning it struck me that you might be having some comparative leisure now. Just then I received Shree Pyare Lalji's letter dated 9th June instant informing me that you are awaiting my reply.

In your letter of May 28 you had asked me how you could remain in both the Hindi Sahitya Sammelan and the Hindustani Prachar Sabha. I have replied to this point in my letter of June 8. To my mind your new work does not conflict with the work in which the Sammelan is engaged. In your letter of June 13 you have referred to another point. You write that you expect me and other lovers of Hindi to welcome your new outlook and to help you. I have tried to explain to you orally—I have also explained my position in my statement, a copy of which was sent to you—that I do not find it possible to agree with you that every countryman of ours should learn both Hindi and Urdu. My mind refuses to admit that your new programme is practicable. I think people who speak Bengali, Gujarati, Marathi, Oriya or any other language, will not agree to this programme.

On the question of a rapprochement between Hindi and Urdu. I agree with you as far as the principle is concerned. But such a re-rapprochement—as I submitted to you at Bombay and as I have said in my statement—can be possible only when the writers and institutions of both Hindi and Urdu begin to honour the principle. I placed this question sometime back before the Hindi Sahitya Sammelan at Allahabad. On my pressing the point, it was decided that those who stand for Hindi would welcome such a move. What is needed is that Urdu institutions should also accept the principle of rapprochement, of coming nearer to each other. If the writers of Urdu do not want it, it is not possible for you and me to achieve this rapprochement. The only way to proceed with this work is to arrange for informal discussions between representatives of the Hindi Sahitya Sammelan, the Nagari Pracharini Sabha, the Kashi Vidyapith, the Anjuman-Taraqqi-e-Urdu, the Jamia Millia and a few other organisations and, if they are found to be inclined to agree on the necessity of rapprochement, to hold a formal meeting of their representatives to consider the different aspects of the question. And the question of rapprochement relates to both language and script. For experience has shown it that while a language written in two scripts may serve ordinary purposes, it will not do for more serious and literary purposes. A stable rapprochement in the sphere of language will depend on the evolution of a common script. It may be a stupendous task, but its importance from the national point of view is obvious.

This problem has been before me since 1920, but seeing that the political atmosphere necessary for its solution did not exist, I did not involve myself in it and devoted myself only to the Hindi form of the national language, hoping through it to attract the people speaking other languages

towards a national language. I agree that the work can be undertaken in its fullness only when we can carry the advocates of Urdu with us. But that being not practicable, the conversion of people speaking other provincial languages in favour of Hindi as national language, will itself be a great task of the evolution of nationalism. Such has been the guiding principle of my work. Opposition of Urdu has neither been nor can be my purpose. On the other hand, I will like to convert the advocates of Urdu to what I consider to be the national language; and in the process of this conversion I am prepared to go a long way to accommodate their views in the matter of the form of the national language, subject of course to certain fixed principles. But as long as that is not possible, I should content myself with the work of bringing about unity between many units of the nation through Hindi.

The way you have taken up the task is quite different from the way I have sought to clarify. I do not oppose it, but I cannot make it my own.

You have referred to the doubts created in the minds of the people of Gujarat. If that is so, you should kindly think over the reason. To me it appears that the ideas of learning two scripts does not appeal to the people of Gujarat (and other provinces), but your personality is such that there is a natural desire to fulfil whatever you may say. My heart also yearns to do what you say, but my head refuses to accept the way chalked out by you.

You have referred to Perrin Ben. It is true that she wants to serve both the causes, but there is nothing to prevent that. The fact that the work of the Hindustani Prachar Sabha and the Rashtra-Bhasha Prachar Samiti is conducted not by one but two different organisations should help in the elimination of conflict between the workers of the HPS and the RPS and in encouraging mutual appreciation between them. The members of one organisation should be free to be members of the other organisation also, but to have common office-bearers for the two organisation will give rise to practical difficulties and differences. The two should, therefore, have different office-bearers. I may remind you of the talks I had with you in 1942. When the Hindustani Prachar Sabha was being formed, I urged that it would not be proper to have one and the same person as secretary of the Hindustani Prachar Sabha as well as of the Rashtra-Bhasha Prachar Samiti. You too endorsed this view. And it was only when you said it was necessary to have Shriman Narayanji as Secretary of the Hindustani Prachar Sabha, that it was decided with your consent to have some other person as secretary of Rashtra-Bhasha Prachar Samiti. And Anand Kausalyayanji was sent some time later.

The same principle applies to Perrin Ben. Just as Shriman Narayanji has been Secretary of the Hindustani Prachar Sabha and at the same time a pillar of the Rashtra-Bhasha Prachar Samiti, so can Perrin Ben become secretary of one organisation and work wholeheartedly for the other also. I see no difficulty in this. The same holds good about all the provinces. Probably, Shriman Narayanji will try to start branches of the Hindustani Prachar Sabha in all the centres where the work of the Rashtra-Bhasha Prachar Samiti has been going on. He has already entered into correspondence with some workers of the Rashtra-Bhasha Prachar Samiti to work for the Hindustani Prachar Sabha. To avoid conflict, the proper course would be to have separate branches of the two organisations, with different persons as principal office-bearers and to leave the membership of both open to all to encourage mutual goodwill and understanding. To me this seems to be a way that deserves to be welcomed.

You were good enough to read my statement and it led you to conclude that the Hindustani Prachar Sabha would be engaged in my own work and that I should join it as a member. You also write that you had asked me to become a member and that I declined saying that until Abdul Haq Sahib joined it, I too should keep aloof from it. Kaka Kalelkarji had spoken to me on this point in 1942, and recently I was asked by Dr Tarachand. You yourself wrote to me on this point in one of the two letters sent by you in one envelope from Bombay before leaving for Panchgani. But I do

not at all remember you having orally asked me to become a member of the Hindustani Prachar Sabha and my having declined on the ground that Abdul Haq Sahib had not joined it. I am afraid you are unconsciously repeating what you heard from some other person as something said by me to you. It was in 1942, when Kakaji spoke to me on this subject, that I said something about the desirability of having Maulvi Abdul Haq and others of the Urdu camp in the Sabha. I meant then what I mean today, viz., that unless the writers of Hindi and Urdu join in the attempt, there can be no rapprochement between the two. If the Hindustani Prachar Sabha achieves any success in this direction, it will surely earn my thanks. Today, I find it even more difficult to join the Hindustani Sabha, for in addition to the blending of Hindi and Urdu in one, it also talks of teaching every Indian both the Hindu and Urdu styles and scripts, separately.

I have replied to the points raised in your letter. I submit that all this does not lend itself to the inference that you or other members of the Hindustani Prachar Sabha should leave the Hindi Sahitya Sammelan. The Sammelan is heartily anxious to keep you all within its fold. It looks upon your association with it as an honour to itself. The work that you want to undertake now is not the Sammelan's own work. But whatever the Sammelan is doing is your own work. Whatever you want to do outside its sphere, you can do freely without leaving it.

With respects
Purushottam Das Tandon

Gandhi to Tandon, 25 July 1945.

Brother Tandonji,—Received your letter of 25-7-45. I read it twice, then I gave it to Kishorilal Bhai. You must be knowing, he is an independent thinker. I am forwarding to you his views also. For myself I will say once only this that as far as possible I have been under the sway of your affection. And now that very affection will compel me to part from you. I have not succeeded in making myself clear. You may place this letter before the standing committee of the Sammelan. I think the Sammelan has not adopted my definition of Hindi. My definition of Rashtra-Bhasha (national language) embraces a knowledge of both Hindi and Urdu scripts as well as the two styles. This should result in a blending of the two if that is to be. I am afraid, my views will not be welcome to the Sammelan. I will, therefore, like my resignation to be accepted. While engaged in the propagation of Hindustani, I shall be serving both Hindi and Urdu.

Yours
M.K. Gandhi

Tandon to Gandhi, 2 August 1945.

Revered Bapu,—Yours letter of July 28 to hand. Reluctantly I shall obey your instructions to place your letter before the standing committee of the Sammelan. Whatever I had to submit I have already said in my two previous letters.

Along with your letter I also received Bhai Kishorilal Mashruwala's letter. I am replying to him separately. The reply is enclosed herewith to be kindly handed over to him.

With respects
Purushottam Das Tandon



APPENDIX I

The Gandhian Plan of Economic Development for India [Extracts]

Shriman Narayan Agarwal, *The Gandhian Plan of Economic Development for India*, Padma Publications, Bombay, 1945.

... Gandhiji is not medieval and anti-Diluvian in his outlook; he is not putting the hands of the clock back. A practical idealist as he is, Gandhiji has been able to diagnose the real and deep malady of modern civilisation, and by pointing out the remedy of that disease, he is not behind but ahead of our times. The present Western civilisation attaches greatest importance to material welfare and maintains that the goal of a progressive individual or nation should be the ever-increasing accumulation of physical comforts and luxuries. As Gandhiji points out in *Hind Swaraj*, 'The true test of modern civilisation lies in the fact that people living in it, make bodily welfare the object of life.'

But this has not been the Indian ideal. 'We notice', says Gandhiji, 'that the mind is a restless bird; the more it gets the more it wants, and still remains unsatisfied.' The more we indulge our passions, the more unbridled they become. Our ancestors, therefore, set a limit to our indulgences. They saw that happiness was largely a mental condition. A man is not necessarily happy because he is rich, or unhappy he is poor. The rich are often seen to be unhappy, the poor to be happy.... Observing all this our ancestors dissuaded us from luxuries and pleasures It was not that we did not know how to invent machinery, but our forefathers knew that if we set our minds after such needs, we would become slaves and lose our moral fiber. They, therefore, after due deliberation, decided that we should only do what we could with our hands and feet. They saw that our real happiness and health consisted in a proper use of our hands and feet. I do not believe,' observes Gandhiji, 'that multiplication of wants, and machinery contributed to supply them is taking the world a single step nearer its goal. I wholeheartedly detest this mad desire to destroy distance and time, to increase animal appetites and go to the ends of the earth in search of their satisfaction'....

The second basic principle of Gandhian economic thought is non-violence. Gandhiji holds that violence, in any shape or form, cannot lead to any kind of lasting peace and socio-economic reconstruction. True democracy and real growth of human personality are conceivable only in a non-violent society. Violence breeds greater violence and whatever is gained by force needs to be preserved by greater force. Violence is inconsistent with true freedom, and liberty gained through it is tainted with human blood. 'For all they that take the sword shall perish with the sword'. Gandhiji will, therefore, have nothing to do with violence because in a planned society planning is only a means and not an end in itself. Even if it were the End, he does not subscribe to the theory that the End justifies the Means. In order to conserve the purity of the End, the Means employed towards its attainment must be equally pure. That is why Gandhiji maintains that even a Socialist society should be established through non-violence, and not through a bloody revolution.

I submit that this idea of non-violence is no religious sentimentalism; nor is Gandhiji alone in stressing its need and importance. Prof. Laski, after closely analysing the trend of social and political development, has frankly recognised the futility of active hatred and violence, and advocates a 'revolution by consent':

'For hate is of all qualities the most Cancer-like to its possessor. It leads up to develop in ourselves the character we condemn in other.... Might in the modern world needs to be clothed with right if it is to be sure it will achieve permanence. The spiritual life of Europe belongs not to Caesar and Napoleon but to Christ; the civilisation of the East has been more influenced by

Buddha than by Ghengis Khan or Akbar. It is that truth we have to learn, if we are to survive. We overcome hate by love, and evil by good; baseness begets only a progeny like to itself'...

Gandhiji's economics may also be called Non-violent Economics, because it is the creed of non-violence which colours his economic ideas all along the line. The basis of Capitalism is the exploration of the 'surplus value' of human labour, which is sordid violence. Machine is the hand-maid of Capitalism; it ousts human labour and concentrates wealth and power in the hands of a few. Wealth is, thus, accumulated by violence and requires to be preserved by violence. Gandhiji, therefore, wants to have no truck with lop-sided mechanisation and large-scale production, which to him, are the roots of the present world catastrophe. Says Gandhiji:

'I suggest that if India is to evolve along non-violent lines, it will have to decentralise many things. Centralisation cannot be sustained and defended without adequate force. Simple homes for which there is nothing to take away require no policing; the palaces of the rich must have strong guards to protect them against dacoits. So must huge factories. Rurally organised India will run less risk of foreign invasion than urbanised India well-equipped with Military, Naval and Air Forces.'

'India's destiny', says Gandhiji. 'lies not along the body way of the West, of which she shows signs of tiredness, but along the bloodness way of peace that comes from a simple and godly life.'

Gandhiji' discountenances the use of force and coercion even for bringing about 'economic equality' in the present society:

'A non-violent system of Government is clearly an impossibility so long as the wide gulf between the rich and the hungry millions persists. The contrast between the palaces of New Delhi and the miserable hovels of the poor labouring class cannot last one day in a free India in which the poor will enjoy the same power as the richest in the land. A violent and bloody resolution is a certainty one day unless there is a voluntary abdication of riches and the power that riches give, and sharing them for the common good. I adhere to my doctrine of trusteeship in spite of the ridicule that has been poured upon it...'

The third important principle underlying the Gandhian economic civilisation is the dignity and sanctity of manual labour. To Gandhiji, labour is the law of nature and its violation is the pivotal cause of our present economic muddle:

'It is a tragedy of the first magnitude that millions have ceased to use their hands. Nature is revenging herself upon us with terrible for this criminal waste of the gift she has bestowed upon us as human beings.'

Again:

'We are destroying the matchless living machines, i.e., our own bodies, by leaving them to rust and trying to substitute lifeless machinery for them.'

'He that will not work', said St. Paul, 'neither shall he eat', and he glorified himself in that he had laboured with his hands and had not been chargeable to any man. In the Gita, we are told that 'if one eats fruits of the earth, rendering to kindly Heaven no gift of toil, that thief steals from his world.' To Gandhiji as well, 'work is worship' and 'an idle mind is a devil's workshop'.

He holds that intelligent manual labour is essential for the proper development of the mind; hand-culture is indispensable for mind-culture. This fact is amply borne out by modern psychology. The scheme of Basic Education, popularly known as the Wardha Scheme, which was adumbrated by Gandhiji, is based on the same psychological principle of 'learning through doing'...

The fourth fundamental basis of Gandhian economy is a change in the standard of values. Orthodox economics has been laying undue emphasis on the values of money and material wealth to the exclusion of moral and human values. But we are already witnessing 'the end of the economic man', and a revolution of economic standards is now a vital necessity. To Gandhiji, like the great

French economist, Sismondi, economics and ethics cannot be divorced; life must be viewed completely and as a whole:

‘I must confess that I do not draw a sharp or any distinction between economics and ethics. Economics that hurts the moral well-being of an individual or a nation is immoral and, therefore, sinful. Thus the economics that permits one country to prey upon another is immoral. It is sinful to buy and use articles made by “sweated labour.” It is sinful to eat American wheat and let my neighbour, the grain-dealer, starve for want of customer. Similarly, it is sinful for me to wear the latest finery of Regent street when I know that if I had worn the things woven by the neighbouring spinners and weavers, that would have clothed me, and fed and clothed them.’

‘The value of an industry should be gauged less by the dividends it pays to sleeping shareholders than by its effects on the bodies, souls and spirits of the people employed in it. Cloth is dear which saves a few annas to the buyer, while it cheapens the lives of the men, women and children who live in the Bombay Chawls.’

This insistence on human values is the essence of Gandhiji’s ideal of *Swadeshi*. The economic law that man must buy in the best and the cheapest market is, to him, one of the most ‘inhuman’ among the maxims laid down by modern economists....

To Gandhiji ‘man is the supreme consideration’, and ‘life is more than money’. ‘It is cheaper to kill our aged parents who can do no work and who are a drag on our slender resources. It is also cheaper to kill our children whom we have to maintain without getting anything in return. But we kill neither our parents nor our children, but consider it a privilege to maintain them, no matter what their maintenance costs us.’

Explaining his ideals of economics, Gandhiji says:

‘Khaddar economics is wholly different from the ordinary. The latter takes no note of the human factor. The former concerns itself with the human.’

‘Khadi spirit means fellow-feeling with every human being on earth. It means a complete renunciation of everything that is likely to harm our fellow-creatures.’

It is on these four corner-stones of ‘Simplicity, Non-violence, Sanctity of Labour and Human Values’, that Gandhiji builds his ideal economy of decentralised cottage industrialism and self-sufficient Village Communities....

Apart from the considerations of political democracy, Gandhiji passionately advocates the revivification of village Communities in India because he detests mechanised large-scale and centralised production which tends to reduce men to mere cog-wheels and drains out their finer human feelings. It may be pointed out that the Mahatma is not alone in denouncing large-scale mechanisation. Even Adam Smith, the father of modern Political Economy, who, otherwise favoured division of labour in modern industries, was forced to concede that a man whose whole life is spent in performing a few simple operations ‘generally becomes as stupid and ignorant as it is possible for a human creature to become.’ ‘The uniformity of his stationary life naturally corrupts the courage of his mind.... His dexterity at his own particular trade seems in this manner to be acquired at the expense of his intellectual, social and martial virtues’....

It must, however, be clearly understood that Gandhiji is not against all machinery. ‘I have no design upon machinery as such,’ says he. ‘The spinning wheel itself is a piece of valuable machinery.’ His objection is directed to the ‘craze for machinery’ and its ‘indiscriminate multiplication’. He, therefore, desires not to destroy machinery but to impose limitations on it. Gandhiji would ‘welcome the machine that lightens the burden of crores of men living in cottages.’ But he has set his face against all machinery which turns men into ‘robots’ and as a result, ousts human labour:

‘Mechanisation is good when the hands are too few for the work intended to be accomplished. It is an evil when there are more hands than required for the work, as is the case in India. Teeming millions inhabiting our villages. The problem is how to utilise their idle hours, which are equal to the working days of six months in the year.’

‘Dead machinery,’ says he, ‘must not be pitted against the millions of living machines represented by the villagers scattered in the seven hundred thousand villages of India.’ He can have also no consideration for machinery ‘which is meant to enrich the few at the expense of the many’.

Gandhiji is not against scientific invention and improvement in machinery. ‘I would prize every invention made for the benefit of all.’ An improvement in a small machine which adds to the efficiency of cottage industries and which a man can handle without being its slave, is to be welcomed. But he is not in favour of the modern ‘craze for labour-saving devices’.

‘Men go on “saving labour” till thousands are without work and thrown on the open streets to die of starvation. I want to save time and labour, not for a fraction of mankind, but for all. I want the concentration of wealth, not in the hands of a few, but in the hands of all. Today, machinery merely helps a few to ride on the backs of millions. The impetus behind it all is not the philanthropy to save labour, but greed. It is against this constitution of things that I am fighting with all my might’....

Apart from the problem of unemployment, Gandhiji favours cottage industrialism from the viewpoint of distribution:

‘Granting for the moment that the machinery may supply all the needs of humanity, still it would concentrate production in particular areas, so that you would have to go in a round-about way to regulate distribution, whereas, if there is production and distribution both in the respective areas where things are required, it is automatically regulated, and there is less chance for fraud, none for speculation.’

‘Distribution’, says Gandhiji, ‘can be equalised when production is localised, in other words, when distribution is simultaneous with production.’

Gandhiji does not lend countenance to the socialist method of distribution:

‘You want me to express opinion on State-controlled industry, i.e., an economic order in which both production and distribution are controlled and regulated by the State, as is being today done in Soviet Russia. Well, it is a new experiment. How far it will ultimately succeed, I do not know. If it were not based on force, I would dote on it. But today, since it is based on force, I do not know how far and where it will take us’....

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